ALEXANDER MOORE.

The bill (H. R. 17678) granting an increase of pension to Alexander Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander Moore, late captain and aid-de-camp, United States Volunteers, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS J. MORRIS.

The bill (S. 3521) to correct the military record of Thomas J. Morris was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 6, after the word "Infantry," to insert the following proviso:

Provided, That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of and grant an honorable discharge to Thomas J. Morris, late of Company H, Twentieth Regiment United States Colored Infantry: *Provided*, That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM C. HASKELL.

The bill (S. 5149) to grant an honorable discharge to William C. Haskell was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 3, after the word "authorized," to insert "and directed;" in line 5, after the word "served," to insert "as a private;" in line 6, after the word "months," to strike out "three" and insert "four;" and in the same line, after the word "months," to strike out the comma and insert "and three days;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to place upon the rolls of the War Department as having served as a private in Company I, Nineteenth Ohio Volunteer Infantry, for four months and three days from April 27, 1861, the name of William C. Haskell, and to issue to him an honorable discharge as of such service: *Provided*, That no pay, bounty, or other allowance shall become due and payable by virtue of the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATHAN MENDENHALL.

The bill (S. 2987) to remove the charge of desertion from the military record of Nathan Mendenhall was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 6, after the word "Volunteers," to insert the following proviso:

Provided, That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Nathan Mendenhall, late a private in Company C, Nineteenth Regiment Indiana Infantry Volunteers: *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY GUDE.

The bill (H. R. 13245) to correct the military record of Henry Gude was considered as in Committee of the Whole. It directs that Henry Gude shall be held and considered to have been honorably discharged from Company K, Seventeenth Missouri Infantry Volunteers, as of date of August 26, 1865.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN PURKAPILE.

The bill (H. R. 13735) for the relief of John Purkapile was considered as in Committee of the Whole. It authorizes the Secretary of War to amend the record of John Purkapile so as to show him honorably discharged from Company F, Fifty-first Illinois Infantry Volunteers, for disability contracted in line of duty.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE-PRESIDENT. This completes the Calendar of pension and military record bills.

Mr. McCUMBER. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 58 minutes p. m.) the Senate adjourned until Monday, June 4, 1906, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 2, 1906.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read.

Mr. PAYNE. Mr. Speaker, I move that the Journal be approved.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Division, Mr. Speaker.

The House divided; and there were—ayes 180, noes 37.

So the motion was agreed to.

REPRINT OF SUNDRY CIVIL BILL.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent for a reprint of the sundry civil bill and report—500 copies for the use of the House.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for a reprint of the sundry civil appropriation bill and report—500 copies for the use of the House.

Is there objection? [After a pause.] The Chair hears none.

REVENUE.

Mr. PAYNE, from the Committee on Ways and Means, reported the following bills; which were severally read by their titles, referred to the Committee of the Whole House on the state of the Union, and, with their accompanying reports, ordered to be printed:

A bill (H. R. 19750) to amend an act entitled "An act to simplify the laws in relation to the collection of the revenues," approved June 10, 1890, as amended by the act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897;

A bill (H. R. 7099) to amend section 2871 of the Revised Statutes; and

A bill (H. R. 15096) to appoint a solicitor for the customs department of the Treasury.

ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I submit the conference report on the Army appropriation bill, to be printed under the rule.

The SPEAKER. The gentleman from Iowa submits a conference report on the Army appropriation bill, to be printed under the rule.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed Senate bills of the following titles; in which the concerrence of the House of Representatives was requested:

S. 6300. An act providing when patents shall issue to the purchasers of certain lands in the State of Oregon;

S. 6240. An act granting an increase of pension to John G. Fonda; and

S. 6329. An act authorizing James A. Moore or his assigns to construct a canal along the Government right of way connecting the waters of Puget Sound with Lake Washington.

AGRICULTURAL LANDS WITHIN FOREST RESERVES.

Mr. LACEY. Mr. Speaker, I present a conference report on the bill (H. R. 17576) to provide for the entry of agricultural lands within forest reserves, to be printed under the rule.

The SPEAKER. The conference report and statement will be printed under the rule.

MILITARY ACADEMY APPROPRIATION BILL.

The SPEAKER laid before the House the bill (H. R. 18030) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1907, with Senate amendments, which were read.

The SPEAKER. Is there objection to noncurring in the Senate amendments, and asking for a conference?

Mr. BARTLETT. I object to unanimous consent.

The SPEAKER. Is there objection to unanimous consent that they may be considered at this time, on a motion to nonconcur, and send the amendments in gross to a conference?

Mr. BARTLETT. Mr. Speaker, I understand the gentleman to ask unanimous consent. I want to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. Under the rules, this bill, having come back to the House from the Senate with amendments made by the Senate, those amendments containing additional appropriations than those made by the House, the bill would ordinarily go to the Committee on Military Affairs.

The SPEAKER. If the amendments to the bill are germane and additional matter, automatically it would go to the Committee on Military Affairs; if, however, the amendments that are germane merely change the amounts, then it would not.

Mr. BARTLETT. I understand that where it simply increases or diminishes the amount that the House provided for the particular matter in the House heretofore, it would not be necessary.

The SPEAKER. If there are original amendments.

Mr. BARTLETT. I understand there are several original amendments.

The SPEAKER. The Chair is under that impression; and, of course, it could not be taken from the Speaker's table except by unanimous consent.

Mr. BARTLETT. That is the reason I made the inquiry. I object.

The SPEAKER. The gentleman from Georgia objects, and the bill will be referred to the Committee on Military Affairs, under the rules.

NATURALIZATION.

Mr. BONYNGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15442—the naturalization bill.

The SPEAKER. The gentleman from Colorado moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naturalization bill, indicated by the gentleman.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Division, Mr. Speaker.

The House divided; and there were—ayes 201, noes 37.

Mr. CLARK of Missouri. Yeas and nays, Mr. Speaker.

The question was taken on ordering the yeas and nays.

The SPEAKER. Forty-two; not a sufficient number.

Mr. CLARK of Missouri. The other side, Mr. Speaker.

The SPEAKER. The other side will rise. [After counting.] One hundred and ninety-eight; not a sufficient number.

Mr. CLARK of Missouri. Tellers, Mr. Speaker.

The SPEAKER. Forty-one have arisen; a sufficient number. Tellers are ordered. The gentleman from Missouri [Mr. CLARK] and the gentleman from Colorado [Mr. BONYNGE] will take their places as tellers.

The House again proceeded to divide.

Mr. PAYNE. A parliamentary inquiry.

The SPEAKER. Tellers will suspend.

Mr. PAYNE. I understood the gentleman from Missouri to ask for tellers upon going into Committee of the Whole, and I understood the Speaker to put it so.

The SPEAKER. What did the gentleman from Missouri demand tellers on?

Mr. CLARK of Missouri. I demanded it on the last motion I made.

The SPEAKER. On the yeas and nays?

Mr. CLARK of Missouri. I did not make a speech on it; it is not the practice to do so.

Mr. FITZGERALD. It was on ordering the yeas and nays.

The SPEAKER. One moment. What does the gentleman now ask?

Mr. CLARK of Missouri. I demand tellers on the yeas and nays.

The SPEAKER. The Chair so understood. Tellers will cease this division, and the vote will be taken de novo.

Mr. CLARK of Missouri. A parliamentary inquiry.

The SPEAKER. Tellers will cease the count, and the vote will be taken de novo.

Mr. CLARK of Missouri. A parliamentary inquiry. How does it happen that Members have got the right to come back and be counted on the other side after having voted on my side?

The SPEAKER. The vote by tellers is under the jurisdiction of the Chair, and the gentleman having made his request, as he himself states, in simple fairness to the House, if there was a vote under a mistake, it should be taken de novo. Those in favor of ordering the yeas and nays will pass between the tellers, and the tellers will pay no regard to the vote already taken, but the vote will be taken over.

The question being taken, the tellers reported ayes 61 on ordering the yeas and nays.

The SPEAKER. A sufficient number, and the yeas and nays are ordered. As many as favor the motion of the gentleman from Colorado that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the naturalization bill will, as their names are called, vote "aye," those opposed will answer "no," and the Clerk will call the roll.

The question was taken; and there were—yeas 222, nays 14, answered "present" 18, not voting 126, as follows:

YEAS—222.

Adams	Dawson	Kennedy, Nebr.	Richardson, Ala.
Alexander	De Armond	Kennedy, Ohio	Richardson, Ky.
Allen, Me.	Denby	Kinkaid	Rixey
Allen, N. J.	Dixon, Ind.	Kitchin, Claude	Roberts
Bannon	Dixon, Mont.	Klepper	Rodenberg
Barchfeld	Draper	Knowland	Russell
Bartholdt	Driscoll	Lacey	Ryan
Bartlett	Dunwell	Lafean	Samuel
Beall, Tex.	Edwards	Lamar	Scott
Bede	Ellis	Landis, Chas. B.	Shackleford
Bell, Ga.	Esch	Landis, Frederick	Shartel
Birdsall	Fassett	Law	Sheppard
Bishop	Finley	Lee	Sherley
Bonynge	Fletcher	Le Fevre	Sibley
Boutell	Foss	Lester	Sims
Bowersock	Foster, Ind.	Lloyd	Slayden
Bowie	Foster, Vt.	Loud	Slemp
Brantley	French	McCarthy	Smith, Cal.
Brick	Fulkerson	McCreary, Pa.	Smith, Ill.
Broocks, Tex.	Fuller	McGavin	Smith, Iowa
Broussard	Gaines, W. Va.	McKinlay, Cal.	Smith, Md.
Brownlow	Gardner, Mass.	McKinley, Ill.	Smith, Pa.
Brundidge	Gardner, Mich.	McKinney	Smyser
Buckman	Gardner, N. J.	McLachlen	Southwick
Burke, S. Dak.	Gillespie	McMorran	Spight
Burleigh	Gillett, Cal.	Mahon	Stafford
Burnett	Goebel	Mann	Steenerson
Burton, Del.	Graff	Marshall	Sterling
Burton, Ohio	Graham	Maynard	Stevens, Minn.
Butler, Pa.	Griggs	Michalek	Sullivan, Mass.
Byrd	Grosvenor	Miller	Sulloway
Calder	Hamilton	Minor	Talbott
Campbell, Kans.	Hayes	Mondell	Tawney
Campbell, Ohio	Hedge	Moon, Tenn.	Taylor, Ohio
Candler	Heflin	Moore	Thomas, Ohio
Capron	Henry, Conn.	Mudd	Tirrell
Cassel	Hepburn	Murdock	Townsend
Chaney	Hermann	Murphy	Underwood
Chapman	Hill, Conn.	Needham	Volstead
Clark, Fla.	Hinshaw	Nevin	Vreeland
Clayton	Hogg	Norris	Waldo
Cole	Hopkins	Otjen	Wallace
Conner	Houston	Overstreet	Wanger
Cooper, Pa.	Howard	Page	Watkins
Cooper, Wis.	Howell, N. J.	Parker	Watson
Cousins	Hubbard	Patterson, S. C.	Webb
Cromer	Hull	Payne	Weems
Crumpacker	Humphrey, Wash.	Pearre	Wharton
Currier	Humphreys, Miss.	Perkins	Wiley, N. J.
Curtis	Hunt	Pollard	Wilson
Cushman	Jenkins	Prince	Wood, N. J.
Dale	Johnson	Pujo	Woodyard
Dalzell	Jones, Wash.	Randell, La.	Young
Darragh	Kahn	Reeder	Zenor
Davidson	Keifer	Reynolds	
Davis, Minn.	Keliher	Rhodes	

NAYS—14.

Adamson	Butler, Tenn.	Garner	Robinson, Ark.
Aiken	Clark, Mo.	Henry, Tex.	Smith, Tex.
Burgess	Fitzgerald	McLain	
Burleson	Floyd	Macon	

ANSWERED "PRESENT"—18.

Andrus	Hardwick	Padgett	Sparkman
Bowers	Howell, Utah	Powers	Stephens, Tex.
Deemer	Kitchin, Wm. W.	Rucker	Weeks
Flood	Lilley, Pa.	Sherman	
Greene	Mouser	Small	

NOT VOTING—126.

Acheson	Dresser	Haskins	Lilley, Conn.
Ames	Dwight	Haugen	Lindsay
Babcock	Ellerbe	Hay	Littauer
Bankhead	Field	Hearst	Little
Bates	Flack	Higgins	Littlefield
Beidler	Fordney	Hill, Miss.	Livingston
Bennet, N. Y.	Fowler	Hitt	Longworth
Bennett, Ky.	Gaines, Tenn.	Hoar	Lorimer
Bingham	Garber	Holliday	Loudenslager
Blackburn	Garrett	Huff	Lovering
Bradley	Gilbert, Ind.	Hughes	McCall
Brooks, Colo.	Gilbert, Ky.	James	McCleary, Minn.
Brown	Gill	Jones, Va.	McDermott
Burke, Pa.	Gillett, Mass.	Ketcham	McNary
Calderhead	Glass	Kline	Madden
Cockran	Goldfogle	Knapp	Martin
Cocks	Goulden	Knopf	Meyer
Davey, La.	Granger	Lamb	Moon, Pa.
Davis, W. Va.	Gregg	Lawrence	Morrell
Dawes	Gronna	Legare	Olcott
Dickson, Ill.	Gudger	Lever	Olmsted
Dovener	Hale	Lewis	Palmer

Parsons	Ruppert	Stanley	Wachter
Patterson, N. C.	Schneebeli	Sullivan, N. Y.	Wadsworth
Patterson, Tenn.	Scroggy	Sulzer	Webber
Pou	Smith, Ky.	Taylor, Ala.	Weisse
Rainey	Smith, Samuel W.	Thomas, N. C.	Welborn
Randell, Tex.	Smith, Wm. Alden	Towne	Wiley, Ala.
Reid	Snapp	Trimble	Williams
Rhinock	Southall	Tyndall	Wood, Mo.
Rives	Southard	Van Duzer	
Robertson, La.	Sperry	Van Winkle	

So the motion was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. MOUSER with Mr. GARRETT.

Mr. HULL with Mr. SLAYDEN.

Mr. BRADLEY with Mr. GOULDEN.

Mr. MORRELL with Mr. SULLIVAN of New York.

Mr. CURRIER with Mr. FINLEY.

Mr. SHERMAN with Mr. RUPPERT.

Until further notice:

Mr. HOLLIDAY with Mr. WILEY of Alabama.

Mr. POWERS with Mr. GAINES of Tennessee.

Mr. ANDRUS with Mr. THOMAS of North Carolina.

Mr. BARTHOLDT with Mr. LITTLE.

Mr. BATES with Mr. GRANGER.

Mr. DEEMER with Mr. KLINE.

Mr. DOVENER with Mr. SPARKMAN.

Mr. FOWLER with Mr. PADGETT.

Mr. GREENE with Mr. PATTERSON of North Carolina.

Mr. GRONNA with Mr. HILL of Mississippi.

Mr. HASKINS with Mr. LEVER.

Mr. HITT with Mr. LEGARE.

Mr. HUFF with Mr. WOOD of Missouri.

Mr. KNOPF with Mr. WEISSE.

Mr. LILLEY of Pennsylvania with Mr. GILBERT of Kentucky.

Mr. LITTLEFIELD with Mr. SMITH of Kentucky.

Mr. SOUTHARD with Mr. HARDWICK.

Mr. WELBORN with Mr. GUDGER.

Mr. WEEKS with Mr. STANLEY.

Until June 10:

Mr. OLMSTED with Mr. FLOOD.

For this day:

Mr. DRESSER with Mr. SOUTHALL.

Mr. MADDEN with Mr. SULZER.

Mr. GILBERT of Indiana with Mr. REID.

Mr. MOON of Pennsylvania with Mr. RANDELL of Texas.

Mr. SNAPP with Mr. POU.

Mr. OLCOTT with Mr. JONES of Virginia.

Mr. MCCALL with Mr. ROBERTSON of Louisiana.

Mr. LOVERING with Mr. MCDERMOTT.

Mr. LOUDENSLAGER with Mr. RAINEY.

Mr. LAWRENCE with Mr. LINDSAY.

Mr. HUGHES with Mr. LEWIS.

Mr. KETCHAM with Mr. LAMB.

Mr. DAWES with Mr. JAMES.

Mr. COCKS with Mr. HAY.

Mr. CALDERHEAD with Mr. GREGG.

Mr. BURKE of Pennsylvania with Mr. GLASS.

Mr. BROOKS of Colorado with Mr. GILL.

Mr. BINGHAM with Mr. FIELD.

Mr. BENNET of New York with Mr. HEARST.

Mr. BEIDLER with Mr. DAVIS of West Virginia.

Mr. BABCOCK with Mr. COCKRAN.

Mr. AMES with Mr. DAVEY of Louisiana.

Mr. ACHESON with Mr. BANKHEAD.

Mr. SCHNEEBELI with Mr. PATTERSON of Tennessee.

Mr. LITTAUER with Mr. LIVINGSTON.

Mr. BLACKBURN with Mr. SMALL.

Mr. DICKSON of Illinois with Mr. WILLIAM W. KITCHIN.

Mr. GILLETT of Massachusetts with Mr. MCNARY.

Mr. KNAPP with Mr. GOLDFOGLE.

Mr. RIVES with Mr. TOWNE.

Mr. TYNDALL with Mr. VAN DUZER.

Mr. VAN WINKLE with Mr. TRIMBLE.

Mr. WACHTER with Mr. BUTLER of Tennessee.

Mr. WM. ALDEN SMITH with Mr. MEYER.

Mr. LONGWORTH with Mr. TAYLOR of Alabama.

Mr. HALE with Mr. ELLERBE.

Mr. PARSONS with Mr. GARBER.

On this vote:

Mr. MCCLEARY of Minnesota with Mr. WILLIAMS.

The result of the vote was announced as above recorded.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15442) to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States, with Mr. CUMMER in the chair.

Mr. BONYNGE. Mr. Chairman, I think we had reached section 5. I ask that the Clerk read section 5, and I will call attention to the fact that we were reading the bill by sections and not by paragraphs.

The CHAIRMAN. The Chair so understands.

The Clerk read as follows:

SEC. 5. That an alien may be admitted to become a citizen of the United States in the following manner and not otherwise:

First. He shall declare on oath before the clerk of any court authorized by this act to naturalize aliens, or his authorized deputy, in the district in which such alien resides, two years at least prior to his admission, and after he has reached the age of eighteen years, that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly, by name, to the prince, potentate, state, or sovereignty of which the alien may be at the time a citizen or subject. And such declaration shall set forth the name, age, occupation, personal description, place of birth, last foreign residence and allegiance, the date of arrival, the name of the vessel, if any, in which he came to the United States, and the present place of residence in the United States of said alien.

Second. Not less than two years nor more than five years after he has made such declaration of intention he shall make and file, in duplicate, a petition in writing, signed by the applicant in his own handwriting and duly verified, in which petition such applicant shall state his full name, his place of residence (by street and number, if possible), his occupation, and, if possible, the date and place of his birth; the place from which he emigrated, and the date and place of his arrival in the United States, and, if he entered through a port, the name of the vessel on which he arrived; the time when and the place and name of the court where he declared his intention to become a citizen of the United States; if he is married he shall state the name of his wife, and, if possible, the country of her nativity and her place of residence at the time of filing his petition; and if he has children, the name, date, and place of birth and place of residence of each child living at the time of the filing of his petition.

The petition shall set forth that he is not a disbeliever in or opposed to organized government, or a member of or affiliated with any organization or body of persons teaching disbelief in or opposed to organized government, a polygamist or believer in polygamy, and that it is his intention to become a citizen of the United States and to renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly by name to the prince, potentate, state, or sovereignty of which he at the time of filing of his petition may be a citizen or subject, and that it is his intention to reside permanently within the United States, and whether or not he has been denied admission as a citizen of the United States, and, if denied, the ground or grounds of such denial, the court or courts in which such decision was rendered, and that the cause for such denial has since been cured or removed, and every fact material to his naturalization and required to be proved upon the final hearing of his application.

The petition shall also be verified by the affidavits of at least two credible witnesses, who are citizens of the United States, and who shall state in their affidavits that they have personally known the applicant to be a resident of the United States for a period of at least five years continuously, and of the State, Territory, or district in which the application is made for a period of at least one year immediately preceding the date of the filing of his petition, and that they each have personal knowledge that the petitioner is a person of good moral character, and that he is in every way qualified, in their opinion, to be admitted as a citizen of the United States.

At the time of filing his petition there shall be filed with the clerk of the court a certificate from the Department of Commerce and Labor, if the petitioner arrived in the United States since January 1, 1900, stating the date, place, and manner of his arrival in the United States, and the declaration of intention of such petitioner, which certificate and declaration shall be attached to and made a part of said petition.

Third. He shall, before he is admitted to citizenship, declare on oath in open court that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly by name to the prince, potentate, state, or sovereignty of which he was before a citizen or subject; that he will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same.

Fourth. It shall be made to appear to the satisfaction of the court admitting any alien to citizenship that immediately preceding the date of his application he has resided continuously within the United States five years at least, and within the State or Territory where such court is at the time held one year at least, and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same. In addition to the oath of the applicant, the testimony of at least two witnesses, citizens of the United States, as to the facts of residence, moral character, and attachment to the principles of the Constitution, shall be required, and the name, place of residence, and occupation of each witness shall be set forth in the record.

Fifth. In case the alien applying to be admitted to citizenship has borne any hereditary title, or has been of any of the orders of nobility in the kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility in the court to which his application is made, and his renunciation shall be recorded in the court.

Sixth. When any alien who has declared his intention to become a citizen of the United States dies before he is actually naturalized the widow and minor children of such alien may, by complying with the other provisions of this act, be naturalized without making any declaration of intention.

Mr. BONYNGE. Mr. Chairman, I have some amendments, which I wish to offer on behalf of the committee, and which I send to the desk and ask to have read.

The Clerk read as follows:

Line 20, page 4, after the word "alien," insert the following words: "*Provided, however*, That no alien who, in conformity with the law in force at the date of his declaration, has declared his intention to become a citizen of the United States, shall be required to renew such declaration."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Page 4, line 21, strike out the word "five" and insert in lieu thereof the word "seven."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Page 5, line 12, after the word "petition," insert the following words: "*Provided*, That if he has filed his declaration before the passage of this act he shall not be required to sign the petition in his own handwriting."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Page 6, line 19, after the word "petitioner," strike out "arrived in the United States since January 1, 1900," and insert in lieu thereof the following: "arrives in the United States after the passage of this act."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

Mr. BONYNGE. Mr. Chairman, those are all of the amendments that the committee has to offer to this particular section of the bill.

Mr. STEENERSON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of line 5, page 4, insert the following words: "Except as provided in section 2172, Revised Statutes of the United States."

[Mr. STEENERSON addressed the committee. See Appendix.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCLEARY of Minnesota. Mr. Chairman, I ask unanimous consent that my colleague may proceed for five minutes.

Mr. BONYNGE. If the gentleman intends to confine himself to this particular amendment under consideration, I shall not object.

The CHAIRMAN. Is there objection?

Mr. BONYNGE. Reserving the right to object, I desire to ask the gentleman whether he desires more time to discuss his first amendment or some other amendment which he desires to offer later?

Mr. STEENERSON. I will say I do not think the gentleman can control my remarks.

Mr. BONYNGE. Then, Mr. Chairman, I object.

Mr. STEENERSON. I can speak on the subject when I reach it.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. STEENERSON) there were—ayes 16, noes 27.

So the amendment was rejected.

Mr. STEENERSON. Mr. Chairman, I desire to ask unanimous consent to extend the remarks I made in regard to this proposition in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. LILLEY of Pennsylvania. Mr. Chairman, in line 7, page 9, I move to strike out the word "thirty" and insert "sixty."

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report. The Chair desires to state to the gentleman from Pennsylvania that section has not yet been read. That is the sixth section, and we are now considering section 5.

Mr. FITZGERALD. Mr. Chairman, on page 4, line 23, I move to strike out the words "in duplicate."

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 23, strike out the words "in duplicate."

Mr. FITZGERALD. Mr. Chairman, if I am correctly informed, the purpose of this language is to compel an alien intending to file a declaration of intention to become a citizen to make, in his own handwriting, two petitions to be filed with the clerk of the court, and by a later section the clerk of the court is required to file one of those petitions with the Bureau of Naturalization. I ask the gentleman from Colorado if that be true?

Mr. BONYNGE. One of them is sent on to the Bureau, but he does not have to write the whole petition. He simply signs it in his own handwriting. There will be printed blanks, and all that is required of the alien is that he sign his name twice.

Mr. FITZGERALD. Why is this petition to be filed in the Bureau of Immigration in Washington? Is it the purpose to have the investigation conducted from the Bureau previous to the final action of the court?

Mr. BONYNGE. Certainly. That is the object and purpose.

Mr. FITZGERALD. That is what I imagined. That is why I moved to strike this language out. It seems to me, Mr. Chairman, if this provision be continued it will result in the building up of a tremendous bureau here in Washington. In the city of New York, for instance, every year there are from 10,000 to 20,000 applications for citizenship filed in the courts that have jurisdiction of naturalization cases. I suppose that a large number of applications are filed throughout the country, and all of these applications will be filed in Washington. The Bureau here is to conduct an independent investigation of all of these applications for citizenship. If the law be enacted in that way it will require a very large force to make these investigations. I desire to call the attention of the committee to the fact that such a provision is unnecessary.

The last day that this bill was under consideration the gentleman from Iowa [Mr. HEPBURN] stated that in all his experience he had never known but one applicant for citizenship to be rejected. I have here the statistics furnished by the commissioner of naturalization for the eastern district of New York, which embraces the former city of Brooklyn and that portion of the State of New York contained on Long Island. From the 16th of June to the 31st of December, 1903, 2,754 petitions were granted, and 868 petitions were denied—24 per cent of the total number of applicants. In the year 1904 6,910 petitions were granted, 3,348 petitions were denied—32 per cent of the applicants for citizenship. In 1905 5,316 petitions were granted, 2,165 petitions were denied, or 28—almost 29—per cent of the total number of applicants. And in this present year, including the month of April—four months—2,143 petitions were granted, and 1,143 petitions were denied—34 per cent of the applicants in that time.

Mr. GRAHAM. If the gentleman will permit me in this connection, I will state that the statistics of the United States court at Pittsburg show almost the same percentage of applicants rejected by the United States court at that place.

[Here the hammer fell.]

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that my time may be extended for five minutes.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that his time be extended for five minutes. Is there objection?

There was no objection.

Mr. FITZGERALD. I am informed that the number of rejections in the southern district of New York, which embraces the former city of New York, the boroughs of Manhattan, Richmond, and the Bronx, and some little additional territory, perhaps, are relatively about the same. Evidently these courts are effectively doing this work. Now, if this language "in duplicate" is retained in the bill, and the later provision requiring an independent investigation by the Bureau of Immigration at Washington of all applications filed for citizenship throughout the United States, the committee will readily understand that it will require an enormous force to make these independent investigations. It seems to me that it has hardly been brought to the attention of the Members that it is the purpose to establish this great force in Washington, or, originating in Washington, to investigate the petitions filed in the several courts. If this investigation is to be authorized, of what use is it to have the investigation by the courts themselves upon these applicants for citizenship? I am in favor of as strict a compliance with the law as possible, but I doubt whether it is necessary to have this duplication of work.

Mr. YOUNG. I wish to ask the gentleman if the striking out of these words and the subsequent words to which he refers is not exactly in line with the amendment which the committee has already adopted in striking out section 4? Section 4 provided for the examination of the conduct of the court. We have stricken that all out.

Mr. FITZGERALD. I thank the gentleman for calling my attention to that fact. It is. For instance, certain State courts under this bill have jurisdiction of applications for naturalization, and before these courts act upon the applications filed in the court it is the intention of this bill to have the Bureau of Naturalization at Washington make an independent investigation.

Mr. BONYNGE. The gentleman misunderstands the purpose when he says that it is necessary that there shall be an independent investigation in each case. The object and purpose of having this record sent to Washington is that there may be one central place where a record in all these cases may be kept, so

that if there should be anything appearing in the record in this one central bureau that required an investigation, then the Department can call upon the United States district attorney in the proper district and give him information when he appears in opposition to the application before the court, and it is not for the purpose of having a large force in Washington investigating all these cases and sending them all over the country. It is simply permissive to have this bureau, and in line upon the recommendations of three Presidents of the United States for a central bureau, where the record of all these naturalization proceedings shall be kept.

Mr. FITZGERALD. My experience has been that if you make some duty permissive upon some bureau or Department of this Government a way will be found by which the necessary funds will be obtained to do everything possible under the permission given under the law. It seems to me that it would be easy to place upon the United States district attorney of the respective districts where these applications are made the duty of making any independent investigation necessary, and I hope the committee will adopt this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BONYNGE. Mr. Chairman, the question as suggested by the argument of the gentleman from New York is a very important one that concerns a very vital portion of this bill. If the argument of the gentleman from New York shall prevail, and we are to do away with this bureau, thereby one of the great reforms that it is hoped to accomplish by the passage of this bill will be absolutely defeated. This proposition, Mr. Chairman, providing for the establishment of a central and national bureau having control of naturalization, is not a new proposition. It has been submitted to Congress by three Presidents of the United States, and I desire to call the attention of the committee to what these different Presidents have said. In his annual message of 1884 President Arthur said:

> It might be wise to provide for a central bureau of registry, wherein should be filed or concentrated transcripts of every record of naturalization in the several Federal and State courts, and to make provision also for the vacation or cancellation of such record in cases where fraud has been practiced upon the court by the applicant himself or where he had renounced or forfeited his acquired citizenship.

President Cleveland said in his first annual message of 1885:

> I regard with favor the suggestion put forth by one of my predecessors—that provision be made for a central bureau of record of the decrees of naturalization granted by the various courts throughout the United States now invested with that power.

President Roosevelt in his message of 1904 said:

> The courts should be required to make returns to the Secretary of State at stated periods of all naturalizations conferred.

Mr. FITZGERALD. Will the gentleman yield to a question?

Mr. CAMPBELL of Kansas. Will the gentleman allow me to ask him a question?

Mr. BONYNGE. I yield first to the gentleman from Kansas.

Mr. CAMPBELL of Kansas. Has the gentleman from Colorado or the committee made any estimate of the number of clerks that will be added to the Bureau of Immigration by reason of the provisions of this act?

Mr. BONYNGE. Not by number. We have appropriated in this bill $100,000, and the naturalization fees will cover what will be required.

Mr. CAMPBELL of Kansas. Does the gentleman think $100,000 will cover the expense that will be entailed by the addition to the force of the number of men required?

Mr. BONYNGE. I think it will more than cover it. Now, to proceed with what I was about to say——

Mr. FITZGERALD. Will the gentleman now yield to me for a question?

Mr. BONYNGE. Certainly.

Mr. FITZGERALD. Would it not suffice if the records of the court of these applicants were filed with the Bureau?

Mr. BONYNGE. Not at all, Mr. Chairman, for this reason: It is provided in this section of the bill that the Bureau of Immigration and Naturalization shall keep—as has been done since 1900—a complete record of every alien arriving in the United States, keeping the date of his arrival, together with his description, and the vessel by which he came, if he came by a vessel. That has been done since 1900, and it is provided now by this bill that it shall continue to be done. Now, this bill provides that all aliens shall be furnished with a certificate to that effect. The object and purpose of having these petitions sent to Washington is that they shall set forth the date of his arrival, a description of the man, and all the information relative to him shall be carried in the records of the Bureau of Immigration and Naturalization at Washington. The district attorney can not have that information except by corresponding with the Bureau at Washington. Having a record of the petition in each case here in the Bureau at Washington, the Bureau will, by simply referring to its record—it does not require an army of clerks to do so—ascertain whether or not the statements in the petition agree with the records of the Bureau. If it does agree, that is an end of it; if it does not agree with that on file in the Bureau, then the Bureau will communicate with the district attorney of the particular district and give him such information as will enable him when the applicant appears in court to properly cross-examine him. It is done not to work any hardship upon those applying for naturalization, but in order to safeguard and protect the interests of the United States in admitting aliens to citizenship——

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I ask unanimous consent that the time of the gentleman may be extended five minutes.

There was no objection.

Mr. BONYNGE (continuing). And to see that those who make application comply with the requirements of the law before they are admitted to citizenship. I can not conceive, Mr. Chairman, why anyone upon either side of the House, or from any section of the country, should oppose a provision which imposes no hardship upon the applicant, but simply safeguards and protects the United States in seeing that no one receives a naturalization certificate until he has complied with the laws of the country whose citizenship he is seeking.

I say to you, Mr. Chairman, and members of this committee, that I feel certain that if you had gone over the records and knew the large number of naturalization frauds that have been committed throughout the United States, there would not be a Member upon the floor of this House who would not join with us in this attempt to perfect our naturalization laws. The demand has existed for a number of decades. No general revision of our naturalization laws has been had since 1802. Every true American, naturalized or native-born, will, I am sure, join with us in the effort to guard and protect the citizenship of the United States from the gross frauds that have disgraced the administration of our naturalization laws. [Applause.] That is the object and purpose of this bill, and I hope you will rally to the support of the committee in this vital part of the measure and settle it once for all, in order that we may proceed with this bill and secure, if possible, its passage to-day.

Mr. FITZGERALD. The gentleman from Colorado seems to infer that I have some desire to emasculate this bill. My only purpose is to perfect it so that I may be able to support it. The fact is that when an alien files a petition for naturalization, he must to-day produce a certificate from the Bureau of Immigration——

Mr. BONYNGE. No; he does not have to do that to-day.

Mr. PALMER. He will have to do it under this bill.

Mr. FITZGERALD. First, I will state my position and then I will go on. He must produce a certificate to-day showing when he arrived and verifying the facts of his petition. Now, I have here a letter signed by William Williams, commissioner of the Immigration Service, formerly located at Ellis Island, New York, in reply to a request from an applicant for citizenship for such a certificate. It is dated January 28, 1905, and he says:

> I regret to have to advise you, in answer to your request for verification of your landing here June 8, 1892, that this can not be done, owing to the unfortunate destruction of all the old immigration records in possession of the Government in the Ellis Island fire of June 14, 1897.

This is a man with whom I am personally acquainted, who applied for naturalization. When he came to get his final papers the United States district court for the eastern district of New York required that he should produce a certificate from the Bureau of Immigration verifying the statements in his petition as to when he landed and the ship on which he came and the other information of which a record is kept. He applied to the Bureau to obtain the certificate for that purpose, with the result which I have stated. This shows that that is the practice to-day in the Federal court.

Mr. BONYNGE. In your court only.

Mr. FITZGERALD. Why not make it in every court?

Mr. BONYNGE. That is the object of it.

Mr. FITZGERALD. Make the courts require the production of a certificate, and that would do away with the necessity of filing a duplicate in the Department at Washington with every petition filed in any court having jurisdiction of naturalization. That is unnecessary. The same result can be accomplished by compelling the applicant for citizenship, before final action is taken, to have the court pass upon the question whether the facts stated in the petition correspond with the facts stated in the certificate. And as the gentleman from Pennsylvania [Mr. PALMER] said, this bill provides that such a certificate must be filed with every petition, and it becomes part of the petition.

The gentleman says the bill makes it permissive for the Bureau in Washington to investigate every single application for citizenship. I repeat, if you make it permissive, if you give

the power to do it, the Bureau will without doubt investigate every application that is filed. For the reason that it is unnecessary, that it does not accomplish any useful purpose, that it means the building up of a great and unnecessary force, I hope that these provisions will be taken from the bill.

Mr. PALMER. Mr. Chairman, for the purpose of asking a question, I move to strike out the last two words. I understand the proposition of the chairman of this committee is that the reason why this duplicate petition should be filed in the Bureau in Washington is to enable the clerks here to make a comparison, to see whether or not the man is genuine or a fraud. It is provided on the sixth page, beginning in the seventeenth line, that at the time of filing his petition he shall also file with the clerk of the court a certificate from the Department of Commerce and Labor, if the petitioner arrived in the United States since January 1, 1900, stating the date, place, and manner of his arrival.

He must file that with his petition, and, under the statement of the chairman of the committee, all the clerks in Washington would have to do would be to find out whether or not the certificate that he filed with his petition corresponds with the certificate which they have here in their department. It seems to me the provision is entirely unnecessary. In the first place, when a man files his petition he must file a certificate from the Department of Commerce and Labor, showing when he arrived, and all about himself. Having filed that, there can be no purpose and no good in having anybody here in Washington compare his petition and his certificate with the original record.

It will only duplicate the expense, as the gentleman from New York [Mr. FITZGERALD] has properly said. It will take an army of clerks to examine every petition, and while everybody, I suppose, is in favor of preventing fraudulent naturalizations, it is not worth while to put the United States Government to this extraordinary expense for nothing.

Mr. BONYNGE. Mr. Chairman, I call for a vote.

Mr. PALMER. Oh, I would like to have the gentleman from Colorado answer my question.

Mr. BONYNGE. I am not aware that the gentleman has asked any question. I have listened with pleasure to the gentleman's remarks, but I do not recall that the gentleman had submitted any question.

Mr. PALMER. Oh, yes; I did. I submitted a question as to whether there is anything to be done except for the clerk to compare the papers.

Mr. BONYNGE. I am very glad to answer the question. I did not understand the gentleman. Certainly, there is more than that to be done. When a man files his petition and he states in the petition that he has lived in the United States continuously for five years, and it goes to Washington, if the Department learns that he has not been living here it would communicate that fact to the United States attorney, or if they get information from the country from which he emigrated that he did not maintain a good moral character——

Mr. PALMER. If who gets information?

Mr. BONYNGE. Why, the Department at Washington. If they have any reason to believe there is any good reason why the applicant should not be admitted to citizenship, whether they obtain that information from the State Department or any other Department, it will be the duty of the Bureau of Naturalization to advise the United States attorney, so that he may properly examine the applicant. Would the gentleman be opposed to having the district attorney of his district furnished with all information that might show that an applicant for naturalization was unfitted for naturalization? Will the gentleman favor me with an answer to that question?

Mr. PALMER. Certainly I would not be opposed to any such thing as that.

Mr. BONYNGE. That is the object of this provision of the bill. It is to give the district attorney that information. Mr. Chairman, I ask for a vote.

Mr. PALMER. Oh, wait a minute. There is no hurry about this. I would like to ask the chairman of the committee another question. I would like to know what there would be on the face of the papers that are sent up here from all the courts throughout the United States that would arouse the suspicion of the officers here in Washington as to the character of any aliens?

Mr. BONYNGE. Why, he will have his information stated in the petition as to where he has been living—all these facts, called for by this petition. They keep the entire record in reference to the man.

Mr. PALMER. He has to file with his petition a certified copy of the record, showing the time when he came to the United States.

Mr. BONYNGE. Yes.

Mr. PALMER. That is all they have got here in Washington and all they can possibly do is to compare one paper with the other.

Mr. BONYNGE. No; this provision requires that the petition shall also be sent to Washington.

Mr. PALMER. What good does it do to send a petition to Washington except to compare it with the original record to see whether he is a fraudulent or a true person?

Mr. BONYNGE. That is one of the objects of it, so that they can make that comparison.

Mr. PALMER. He files with his petition a certificate from the record, showing when he arrived and all about himself.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and the amendment was rejected.

Mr. LILLEY of Pennsylvania. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill a question. I refer now to page 4, line 21, wherein the bill states, "not less than two years nor more than five."

Mr. BONYNGE. Mr. Chairman, I would state that that has been amended so as to read seven years.

Mr. LILLEY of Pennsylvania. Do I understand that under the provisions of this bill as amended if seven years have elapsed since the first application or declaration was filed, that the applicant can not then be naturalized?

Mr. BONYNGE. He can start all over again.

Mr. LILLEY of Pennsylvania. Well, must he?

Mr. BONYNGE. Yes; and I would say, Mr. Chairman, that the Secretary of State has urged this provision most strongly, because of international complications that have frequently arisen. I desire now to read, for the information of the gentleman and for the information of others, a letter addressed by the Secretary of State, Mr. Elihu Root—who is not only a great Secretary of State, but who is recognized as one of the very ablest lawyers in the country—which he wrote to Mr. HOWELL, of date February 27, 1906. It is as follows:

> The Department has received a copy of the bill (H. R. 15442) to establish a bureau of immigration and naturalization, etc., introduced in the House of Representatives by you February 22, 1906, and I have had it carefully examined to ascertain if its provisions are such that they would probably provide a remedy for those evils in the matter of the naturalization of aliens which the Department has called to the attention of Congress on several occasions.
>
> I am gratified to be able to say that those who have examined the bill think that if it were enacted into law it would work a great improvement in the granting of citizenship. They think, however, that it would be improved by slight amendments.
>
> First. Section 5 provides that an alien shall make a declaration of his intention to become a citizen of the United States at least two years prior to his admission, and that he shall file the petition for final naturalization not more than five years after making the declaration, that the declaration of intention shall have a life of not more than five years. It is suggested that section 29 be so amended as to require that the certificate of declaration of intention set forth that the document is not valid after five years from the date of its issuance.

Now, the Secretary did not suggest the amendment from five to seven years, and I am pleased to accord the originality of that suggestion to the distinguished gentleman from Minnesota, and to express, as I pass, Mr. Chairman, not only my high personal regard and esteem for the gentleman, but likewise to express my extreme regret that the committee did not have the benefit of the gentleman's very great ability in the preparation of this bill, because if we had I know it would have been so perfect that even the enlightened judgment of the 385 other Members of the House could not have improved it in the slightest particular. [Applause.] Now, returning, Mr. Chairman, to the letter I was reading——

Mr. STEENERSON. I desire to express my profound thanks for the very hearty compliment that has been paid me, but I desire to demand an answer to this question, if it would not——

Mr. BONYNGE. I decline to answer any demand, Mr. Chairman.

Mr. STEENERSON. I withdraw the word "demand," and I was only using it with a pleasant intention. I will most politely ask if it was not due to my initiative that the committee finally agreed that the educational qualifications, so called, should not apply——

Mr. BONYNGE. Oh, we have not reached that section of the bill.

Mr. STEENERSON. I believe——

Mr. BONYNGE. I decline to yield further. I now desire to read this letter in answering the question of the gentleman from Pennsylvania.

The CHAIRMAN. The gentleman from Pennsylvania declines to yield to the gentleman from Minnesota.

Mr. BONYNGE. I am answering an interrogatory from another gentleman, and I can not answer two at the same time.

Mr. STEENERSON. I will wait.

Mr. BONYNGE (reading)—

The Department constantly receives applications for passports from persons who have made the declaration of intention many years ago and have supposed the certificate to be sufficient evidence of their citizenship. Occasionally such documents are presented to our diplomatic and consular officers abroad. It would seem to be desirable that the person who makes the declaration of intention should not be led into error and should not be able to lead anyone else into error on the vital subject of its validity.

Now, it appears from the Secretary of State——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LILLEY of Pennsylvania. Mr. Chairman, I ask for two minutes.

The CHAIRMAN. Is there objection?

Mr. STEENERSON. I object, unless the gentleman will allow me——

Mr. STAFFORD. Mr. Chairman, I move to strike out the last five or six or any number of words, in order to put a question to the gentleman having charge of the bill. I understand from the letter just read by the gentleman having charge of the bill that the Secretary of State made reference to the phrase on page 4, lines 8 and 9, which says, "two years at least prior to his admission." I would like to inquire what the word "admission" refers to in that connection?

Mr. BONYNGE. Admission to citizenship in the United States.

Mr. STAFFORD. Then I would like to call the gentleman's attention to the wording on page 7, beginning in line 12, which says, "It shall be made to appear to the satisfaction of the court admitting any alien to citizenship that immediately preceding the date of his application." Does that mean application by declaration, or application to the court for citizenship, or——

Mr. BONYNGE. Application to the court.

Mr. STAFFORD. Or the filing of the petition for citizenship?

Mr. BONYNGE. The same thing—application for admission to citizenship.

The CHAIRMAN. Without objection, all pro forma amendments will be considered as withdrawn.

Mr. SULLIVAN of Massachusetts. Mr. Chairman, I move to strike out the last three words. I would like to ask the gentleman from Colorado if this bill becomes a law will any certificate be granted to the declarant who has made his declaration of intention or will that declaration simply be embodied in the court record?

Mr. BONYNGE. Is your question whether it affects existing declarations of intention?

Mr. SULLIVAN of Massachusetts. No; I am speaking now of those filed under the provisions of this act.

Mr. BONYNGE. There will be two declarations of intention, and the applicant will have one and the other will be kept by the court.

Mr. SULLIVAN of Massachusetts. Just the same as in the case of the petition?

Mr. BONYNGE. Yes, sir; well, I could not say just the same as the petition, because the petitioner does not keep one copy. The court has one and the other comes to the Bureau at Washington.

Mr. SULLIVAN of Massachusetts. Is there any provision in the bill providing for such a case as the loss or destruction of certificates of declaration of intention?

Mr. BONYNGE. My own opinion is that section 882 of the Revised Statutes will cover certified copies in all cases, but some gentlemen think it will not, and there is an amendment which is to be offered providing that certified copies may be had in all cases. And I will say to the gentleman from Massachusetts that we welcome any amendment that perfects the bill, exactly as we were glad to accept the idea suggested by the gentleman from Minnesota [Mr. STEENERSON] and to frame an amendment in accordance therewith.

The Clerk read as follows:

SEC. 6. That the clerk of the court shall, immediately after filing the petition, give notice thereof by posting in a public and conspicuous place in his office, or in the building in which his office is situated, under an appropriate heading, the name, nativity, and residence of the alien, the date and place of his arrival in the United States, and the date, as nearly as may be, for the final hearing of his petition, and the names of the witnesses whom the applicant expects to summon in his behalf; and the clerk shall, if the applicant requests it, issue a subpœna for the witnesses so named by the said applicant to appear upon the day set for the final hearing, but in case such witnesses can not be produced upon the final hearing other witnesses may be summoned.

Mr. MANN. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry. I know the gentleman has already explained the procedure in reference to the application, but can he state it in just a few words again?

Mr. BONYNGE. I beg the gentleman's pardon. What was the question?

Mr. MANN. Under the procedure provided for in the bill for obtaining final papers—in just a few words. I do not wish to detain the committee.

Mr. BONYNGE. The applicant files a petition, in which he sets forth the facts entitling him to naturalization, and it is filed with the court. One copy of that comes to Washington and one copy is kept by the clerk of the court. After ninety days have elapsed, there is a hearing in court to ascertain whether or not he is entitled to naturalization.

The Clerk read as follows:

SEC. 7. That petitions for naturalization may be made and filed during term time or vacation of the court and shall be docketed the same day as filed, but final action thereon shall be had only on stated days, to be fixed by rule of the court, and in no case shall final action be had upon a petition until at least ninety days have elapsed after filing and posting the notice of such petition: *Provided*, That no person shall be naturalized nor shall any certificate of naturalization be issued by any court within thirty days preceding the holding of any general election within its territorial jurisdiction.

Mr. SULLIVAN of Massachusetts. Mr. Chairman, I offer an amendment, on page 9, line 4, to strike out the word "ninety" and substitute "thirty."

The CHAIRMAN. The gentleman from Massachusetts offers and amendment, which the Clerk will report.

The Clerk read as follows:

On page 9, line 4, strike out "ninety" and insert "thirty."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. SULLIVAN of Massachusetts. Mr. Chairman, under this bill, after the petition is filed, the final order may not be made until ninety days. In another provision of the bill an appeal may be taken within forty-five days after the date of the final order. Another part of the bill provides that no certificate of naturalization may be granted within thirty days of a general election.

Now, I assume that after a petition is filed the court would not make the final order until the last of the ninety days, and the appeal in many cases would not be entered until the last of the forty-five days limited by law. In that manner one hundred and thirty-five days would have elapsed between the filing of the petition and the entry of the appeal. No time is limited in the bill for the decision of the appeal, and, obviously, no time could be, but it is fair to assume that the higher court would not decide the appeal for at least thirty days. If we add those to the previous one hundred and thirty-five days we have one hundred and sixty-five days after the filing of the original petition. Now, then, as in most States no man may be registered within fourteen days of the time of the election, that adds additional time. I do not believe that anyone will object to allowing sufficient time to make a full examination of all the facts which are necessary to determine whether a petitioner is getting naturalized properly or fraudently, but it seems to me that the ninety days might well be cut down to thirty days, and that the time for entering the appeal might be limited to thirty days. That would give sixty days within which the Government could investigate.

Now, when the alien comes here in the first instance a complete description of him is entered upon the records and forwarded to the Bureau of Immigration, and later, when he makes his declaration of intention, that, too, is filed and placed upon the records of the court, and the officers of the court passing upon his petition for naturalization must have recourse to the records of the court which received his original declaration; and they have a perfect means of determining whether any fraud is attempted to be practiced upon the United States Government. They have ample means, because they have recourse to the records which were made at the time the alien landed upon our shores. With those facts in their possession it seems to me that the long period of ninety days serves no useful purpose, because the Government in the shorter period could make all the examination which would be necessary, and the longer period serves, therefore, to postpone that day upon which the alien may become a full-fledged citizen of the United States.

I appreciate every effort that is made to purge our citizenship of all bad men, but there is no reason for keeping out good men or postponing the day when good men may become citizens of the United States. And I respectfully urge this upon the attention of the committee, and ask that this amendment be accepted.

Mr. BONYNGE. Mr. Chairman, in answer to the gentleman from Massachusetts, I will say that I heartily agree with him in the statement that we do not desire to keep out any who are worthy of our citizenship. The object and purpose of this amendment is simply to give the United States an opportunity to make a thorough investigation as to the qualifications of the applicants for admission to its citizenship. The gentleman

from Massachusetts has taken the extreme case, a very extreme case. This provision for delay in the issuing of a certificate for forty-five days is only required in those cases where the district attorney of the United States has appeared in opposition to granting the application. I presume it will be safe to say that in 90 per cent of the cases there will be no opposition to granting the application and that the petitions will be granted within ninety days. Where, however, there has been reason to believe that opposition should be made by the Government of the United States to the granting of an application, on the ground that the applicant is not worthy for any reason—and it makes no difference what the particular objection may be—then it is no hardship to that individual if in that particular case he has to wait forty-five days until the Government has an opportunity to determine whether or not it desires to appeal. It is not only in the courts of Boston, which are six or eight hours from Washington, where naturalization under this bill will be carried on, but in the courts in California, in Hawaii, courts in all the Territories and in every State of the Union are authorized by this bill to grant naturalization. They have to communicate with the Department at Washington; the Department at Washington may, perhaps, in some extreme case be required to communicate with some foreign government. Ninety days is not too long to give the Government an opportunity to post itself as to the qualifications of the applicant, and it is no hardship to the applicant if he should wait the ninety days. I say to the gentleman—and I know he will agree with me—that when an applicant is applying for what I believe the most priceless boon to be given to man—American citizenship—it is no hardship to him to have his qualifications examined by the Government, and that the Government should have ample opportunity to make that examination thorough in every respect. These various courts are permitted to naturalize aliens not for the benefit of the Government, but for the convenience of the applicants. I submit, therefore, that the time is none too long, and I hope that the amendment of the gentleman from Massachusetts will be voted down.

Mr. DRISCOLL. What cases of application are those in which it is expected the Government will appear in opposition to naturalization? Where citizenship has already been granted?

Mr. BONYNGE. In any case where the Department at Washington has reason to believe that the man is not entitled to citizenship; in a case, for instance, where the applicant applies for citizenship where the record shows that he has not lived in the country long enough; or, where a man represents himself to be a certain individual, is applying for naturalization under some fraudulent or false name, and many others that might be given and which will probably occur to the gentleman.

Mr. DRISCOLL. Is it reasonable to believe that the Government would appear in opposition in more than 10 per cent?

Mr. BONYNGE. I think it would not be. It would only be in exceptional cases, I would say to the gentleman from New York. I think if this bill is enacted there will be very few fraudulent applications. Of course there have been a large number of fraudulent certificates issued, and in the past the number of cases in which the Government ought to have intervened would exceed 10 per cent; but with the safeguards against fraudulent applications and fraudulent certificates provided by the terms of this bill, I am certain that the number of cases in which it would be necessary for the Government to intervene will be greatly diminished. The provisions of this bill, allowing investigations relative to the qualifications of all applicants, will, if enacted into law, deter those not entitled under our laws to naturalization from making application therefor. The cases will therefore, in my judgment, be comparatively few in which it will be necessary for the Government to appear.

Mr. SULLIVAN of Massacusetts. I move to strike out the last word.

The trouble with this provision, Mr. Chairman, is that it not only deals with the certificates of the men who are not entitled to them by reason of some fraud they are attempting to practice, but applies to every petition. Under the terms of this bill, a court can not make a final order until ninety days after the filing of the petition. Now, in each case the object is to get an exact description of the petitioner, his age, the country he came from, and all the circumstances necessary to guide the court in arriving at a just decision; and as these facts are all recorded it seems to me that it ought not to take three months' time to get them. Now, take the extreme case of the gentleman from Colorado, that of an applicant in Hawaii. All the facts are of record at Washington, and it ought not to take more than two weeks' time to get those facts, even to Hawaii, and not more than three days' time to get them to any other part of the United States. Now, then, in order to meet that extreme case, why should the great body of petitioners all over the United States be delayed?

Mr. BONYNGE. The gentleman must be referring to a delay of ninety days?

Mr. SULLIVAN of Massachusetts. I am discussing that.

Mr. BONYNGE. We have provided for posting of notices of the application. That gives public notice to everybody in the community, if anybody is interested to advise himself, and it may be that some person, seeing that notice posted and knowing that a person has applied for a petition who is not entitled to it, may desire to call attention to the fact. Surely ninety days is not a very long delay. The gentleman surely does not think that to wait ninety days for such a gift, a great benefit as we are bestowing—American citizenship—is a hardship to an applicant. It may be that he will be required to go back a second time in order to safeguard the interests of the Government.

Mr. SULLIVAN of Massachusetts. The trouble with the section which the gentleman speaks of is that it simply emphasizes the difficulty, for immediately that the notice is posted any person who seeks maliciously to oppose the granting of the petition may do so, and thereby increase the hardship of the petitioner. I assert that every fact which the Government ought to know is contained in the official records made up at the time the alien lands here and supplemented by his declaration, and it seems to me there is no good reason for requiring an applicant to wait for ninety days before his petition may be acted upon.

Let us see when a man would have to begin the naturalization proceedings in order to vote at a general election. Suppose he files his petition on the 1st day of June. He waits ninety days. The final order is made on the 1st of September. The United States attorney waits forty-five days and then enters an appeal. That brings it to the 15th day of October. No time is stated in the act and can not be stated for the decision of the appeal. The result is that if the court takes any considerable time in deciding the appeal, a man can not vote at that election. The result is that any man who wishes to vote must file his petition in the early spring, at least nine months before the general election.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. MANN. Mr. Chairman, I rise in opposition to the pro forma amendment. I can not agree with the distinguished gentleman from Colorado [Mr. BONYNGE] and, apparently, the committee in the supposition that the United States will not appear in 10 per cent of the cases. I think the observation and experience of almost every Member of the House is that where it is made a duty of the Government, or the Government is given a right to do a thing, it is the duty, and the Government does it. In these cases, if the Government has a right to appear and cross-examine a petitioner, it becomes the duty of the Government to appear; and if the Government fails in the duty, some newspaper, with a scare headline, tells how somebody is naturalized who is a scamp of some sort, and then the Department of Justice over here will have a fit. Congress will then be instantly called upon to make an appropriation to provide sufficient help, so that the district attorneys may appear in every court where naturalizations occur. It is just as inevitable—this process—as the following of day by night. It is a sure thing that if the United States Government is given a right and the United States district attorney is given a right to appear in opposition or to cross-examine—I will not say in opposition—the petitioner, then district attorneys will exercise that right by force of public opinion, brought about by a few cases, at some time. I do not say that that would be wrong. The gentleman asks, Would it be wrong? What I want to call the attention of the committee to is this: You place, through this bill, the power in an administration at Washington, in case of a closely contested national election, of electing its party candidates. We naturalize in the United States every year hundreds of thousands of citizens, I take it.

Mr. BONYNGE. I think the gentleman is in error. We have no exact data, but the estimate made by the Bureau, from the best sources that could be obtained, is somewhere between 75,000 and 100,000.

Mr. MANN. Immigrants are coming into the United States now, and will continue to come, unless they are cut off by the proposed immigration bill, at the rate of a million a year. That means more than 100,000, probably 200,000 persons who are capable of becoming citizens, so far as age is concerned, and perhaps more than that. Most of these people in the past have applied for citizenship. But whatever the number may be (in the city of Chicago it certainly amounts to thousands every year), an astute district attorney who wanted to carry the election in favor of his side could very easily take

an appeal in all cases of men who were going to vote the opposition ticket. And my observation and experience are that these advantages are seldom let go by, and I have not the slightest doubt that that sort of thing would be resorted to; not openly, not with the pretense that that was being done, but a suspicion would arise as to the propriety of the naturalization of men who were going to vote the Democratic ticket, when the administration was Republican, and vice versa when the administration was Democratic.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn.

Mr. DRISCOLL. I move to strike out the last two words. I am not a member of this committee, but I am in accord with the committee in proposing this term of ninety days, and I believe that citizenship in this country is worth ninety days, or a longer period if necessary, to secure what is looked after in this bill. The gentleman from Illinois [Mr. MANN] says that the Government will appear in many cases. Now, suppose the Government does appear in many cases. The Government ought to appear in every case in which there is any doubt. The Government ought to appear in every case that should be investigated. These immigrants are coming to this country from all over the world, and all that may be required to be known concerning them before they are naturalized can not be determined in thirty or forty days, and therefore the Government ought to have all the time that is necessary. And it seems to me that ninety days, where inquiry has to be made in other countries, is not too much time.

Mr. MANN. Will the gentleman yield for a question?

Mr. DRISCOLL. Yes.

Mr. MANN. Waiving the matter as to whether the Government ought to appear in all cases, as a matter of argument, will the gentleman tell us how the Government can determine what cases are suspicious unless the Government does appear in every case?

Mr. DRISCOLL. Then this bill ought to be amended so that the Government should be required to appear in every case, one way or the other.

Mr. MANN. I thought that was the logic of it.

Mr. DRISCOLL. In my judgment, the Government will not appear save in exceptional cases.

Mr. MANN. How can the Government tell what are exceptional cases unless it appears in all the cases?

Mr. BONYNGE. That is what the Bureau is for, Mr. Chairman.

I move that all debate on the section and amendments thereto be closed.

Mr. FITZGERALD. Will the gentleman make it five minutes? I want to offer a substitute.

The CHAIRMAN. The gentleman from Colorado moves that all debate on this paragraph and amendment be now closed.

Mr. FITZGERALD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. FITZGERALD. To offer an amendment.

The CHAIRMAN. The amendment can be offered.

Mr. FITZGERALD. I wish to offer an amendment to the motion that debate be closed. My amendment is that debate be closed in five minutes. I wish to offer a substitute and to have a chance to explain it. I hope the gentleman will accept that amendment.

Mr. BONYNGE. I will accept that amendment, to close debate in five minutes.

Mr. SMITH of California. Mr. Chairman, I have an amendment.

The CHAIRMAN. The Chair can not recognize anybody until this question is stated. Without objection, the motion of the gentleman from Colorado [Mr. BONYNGE] will be modified in accordance with the suggestion of the gentleman from New York.

The question was taken on the motion, and it was agreed to.

The CHAIRMAN. Debate will be closed, in accordance with the motion.

Mr. FITZGERALD. Mr. Chairman, I offer the following substitute for the amendment.

The CHAIRMAN. The gentleman from New York offers the following substitute, which the Clerk will report.

Mr. MANN. I understood the Chair to state that debate was closed.

The CHAIRMAN. The Chair should have stated the five-minute debate. The Clerk will report the amendment.

The Clerk read as follows:

Line 4, strike out "ninety" and insert "thirty;" and insert after "petition," in line 5, "except in case where the United States has appeared, when final action shall not be taken until at least ninety days have elapsed.

Mr. FITZGERALD. Mr. Chairman, this amendment does this: It reduces the time, except in cases where the United States has appeared, and in those cases no final action shall be taken until after ninety days have elapsed.

Mr. BONYNGE. I do not quite catch your amendment.

Mr. FITZGERALD. I will ask the Clerk to report the amendment again.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again reported.

Mr. BONYNGE. I do not understand how that would work at all.

Mr. FITZGERALD. I will call the attention of the gentleman to it. The section then would read, commencing line 3: "In no case shall final action be had upon a petition until at least thirty days have elapsed after filing and posting the notice of such petition, except in cases where the United States has appeared, when final action shall not be taken until at least ninety days have elapsed."

Mr. BONYNGE. Then the gentleman would require, within thirty days from the filing of the petition, the examination should have been completed and that the district attorney should have appeared in court and entered an appearance. I can not accept that amendment.

Mr. FITZGERALD. It covers the gentleman's objection, that where objection has been made they ought to have ninety days.

Mr. BONYNGE. The ninety days I said they should have was in order to give the authorities—the Government of the United States, which is the other side to the application—an opportunity to determine whether or not it desires to object. You are to shut them off in thirty days, and say at the end of thirty days you must complete your examination.

Mr. FITZGERALD. I simply wish to call attention to the fact that if the present provision be left in the bill it will be impossible for anybody to be naturalized in the State of New York within six months of any general election. If there be no objection filed within thirty days——

Mr. BONYNGE. Will the gentleman permit me to ask a question?

Mr. FITZGERALD. Yes; I will.

Mr. BONYNGE. Do not your State laws now provide in New York State that no man can vote at a general election unless he has been naturalized ninety days preceding the election?

Mr. FITZGERALD. Yes; that is my recollection.

Mr. BENNET of New York. We have that law in our own State just now.

Mr. FITZGERALD. That is true; but with this provision no one could get naturalized within at least three months previous to the three-months' period. So it would be seven or eight months, or perhaps longer, that it would be necessary to file a petition before a general election in order to vote at that election. This amendment covers the gentleman's objections.

Mr. HINSHAW. Is it not a fact, if your amendment was adopted, in self-defense the Government of the United States would be forced to enter appearance within thirty days in every case, so as to give ninety days' notice and——

Mr. FITZGERALD. I have no doubt it is intended that the United States shall enter every case, and my belief is——

The CHAIRMAN. The time for debate has expired. The question is on agreeing to the substitute offered by the gentleman from New York to the amendment offered by the gentleman from Massachusetts.

The question was taken; and the substitute was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. SULLIVAN].

The question was taken; and the amendment was rejected.

Mr. SULLIVAN of Massachusetts. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 9, line 4, strike out "ninety" and insert "sixty."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. SULLIVAN of Massachusetts. Now, I will ask the gentleman from Colorado [Mr. BONYNGE] whether or not sixty days would be sufficient for all purposes?

Mr. BONYNGE. I have to say, Mr. Chairman, that the debate has been closed and I have no right to take the time of the committee any more than anybody else.

Mr. SULLIVAN of Massachusetts. Can not the gentleman take time enough to answer the question?

The CHAIRMAN. Debate can only proceed by unanimous consent.

Mr. GRAHAM. Mr. Chairman, I desire to offer an amendment at the close of this section.

The CHAIRMAN. There is an amendment now pending, offered by the gentleman from Massachusetts [Mr. SULLIVAN].

Mr. GRAHAM. Mr. Chairman, I desire the opportunity——

The CHAIRMAN. The Chair will recognize the gentleman. The question now is on agreeing to the amendment of the gentleman from Massachusetts [Mr. SULLIVAN].

The question was taken; and the amendment was rejected.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. GRAHAM] offers an amendment which the Clerk will report.

The Clerk read as follows:

Insert in line 9, page 9, after the word "jurisdiction," the following: "It shall be lawful at the time and as a part of the naturalization of any alien, for the court in its discretion upon the petition of such alien to make a decree changing the name of said alien, and his certificate of naturalization shall be issued to him in accordance therewith."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. GRAHAM].

The question was taken; and the amendment was agreed to.

Mr. GRAHAM. Mr. Chairman, I desire to say a few words on this amendment.

The CHAIRMAN. The amendment is agreed to.

Mr. GRAHAM. I ask unanimous consent that I can speak for at least five minutes. It is not often that I desire to talk.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent——

Mr. GRAHAM. I desire to strike out the first word in the next section.

The CHAIRMAN. That is not in order. The gentleman from Pennsylvania [Mr. GRAHAM] asks unanimous consent that he may speak for five minutes. Is there objection?

Mr. MANN. Does that go with the reconsideration of the amendment?

Mr. SHERLEY. Mr. Chairman, reserving the right to object, I would like to know whether after permission is given the amendment will be before the House and the previous action of the House considered as disregarded.

The CHAIRMAN. The amendment is agreed to, and will not again be before the House for consideration. Is there objection to the gentleman from Pennsylvania for unanimous consent to address the committee for five minutes?

There was no objection.

Mr. GRAHAM. Mr. Chairman, I desire first of all to thank the House for this courtesy.

This amendment was suggested and, in fact, drafted by Hon. Joseph Buffington, of the United States court of western Pennsylvania, and sent by him to my colleague [Mr. BURKE], who is unavoidably absent.

It will enable many of the foreigners who have almost unpronounceable names, and who are now being naturalized, to change their names to English names corresponding to their foreign names or abbreviate their original names. They can now, by filing applications and duly advertising according to law, accomplish this result, but as it entails great expense and trouble very few avail themselves of the present law. They can now of their own free will drop a portion of their name, but very few people are aware of that fact and others are deterred from fear of legal complications.

At common law a man may lawfully change his name, or by general usage or habit acquire another name than that originally borne by him, and this without the intervention of either the sovereign, the courts, or Parliament; and the common-law rule, unless changed by statute, of course, obtains in the United States. (21 Am. and Eng. Ency. Law, p. 311.)

At the common law a man may lawfully change his name. (Linton *v.* First Nat. Bank of Kittanning, 10 Fed. Rep., 894. Opinion by Acheson, J.)

A man's name is the designation by which he is distinctively known in the community. Custom gives him the family name of his father and such prænomina as his parents choose to put before it, and appropriate circumstances may require senior or junior as a further constituent part. But all this is only a general rule, from which the individual may depart if he chooses. The legislature in 1852 provided a mode of changing the name, but that act was in affirmance and aid of the common law, to make a definite point of time at which a change shall take effect. (Laflin & Rand Co. *v.* Steytler, 146 Pa. St., 442.)

Two names familiar to the American public are noted in the opinion of the court in the last-named case, both of which were names adopted by the individuals themselves without the aid of courts, to wit, *U. S. Grant* and *Grover Cleveland*, instead of *Hiram Ulysses Grant* and *Stephen Grover Cleveland*. The facts are set forth in the opinion of the court as follows:

The blunder of the friendly Congressman who nominated him to West Point transposed and altered the names by which General Grant has gone into history, and considerations of convenience or taste have induced President Cleveland to omit one of the names his parents bestowed upon him. *A name, therefore, is the title used for the identification of an individual*, and the intent of its requirement in full is certainty of such identification. The full name, therefore, is no more than the whole of such title, as it is used by himself and his neighbors for such purpose. To construe the statute to require the literal and absolute following of the entire list of names which the person may have had bestowed upon him would be giving it not only a very narrow and technical construction, which serves no purpose of the act, but even one which might tend to defeat its real intent. A statement signed "Stephen Grover Cleveland" would not create certainty, but doubt, as to its author.

Now, as to an object lession to the Members of the House, I send up to the Speaker's desk a list of a few names of citizens of the United States recently naturalized in Pittsburg and ask that it be read.

The Clerk read as follows:

Sample list of names of American citizens recently naturalized in the United States courts at Pittsburg.

Mocseh Zemiszkcivicz, Franciszek Wojciechosky, Jonas Szuhodolinszkoi, Josef Schloegigruber, Ivan Srbljanovic, Stanislaw Szymkewich, Panagiotis Roskinitopoulos, Blazej Radziszewski, Felice Pietropaolo, Stephan Onarejcso, Antoni Niespodzianski, Piotr Myslywiecz, Antonio Mazzacarallo, Ignacz Leszczynska, Franz Imbierowicz, Petro Georgopulos, Jan Gibosiewrce, Georgy Feckomichala, Antoni Dzingielieski, Josef Drljanovcani, Vincenzo Campisano, Pasquale Perre Francesco Bevilaqua, David Zaia Aghakhon, Jan Blahumsiak, Johan Skrzycki, Mihaly Sztachanes.

Mr. SMITH of California. Mr. Chairman, I ask unanimous consent that I may have two minutes to explain the purpose of the amendment that I offer.

The CHAIRMAN. The gentleman from California offers the following amendment:

The Clerk read as follows:

Insert on line 5, page 9, after the word "petition," the following: "*Provided*, That if no objection be made to the naturalization of the applicant within the ninety days' notice, then the applicant may appear at any day after the day named in the notice and have his petition heard."

The CHAIRMAN. The gentleman asks unanimous consent that he may have two minutes to explain the amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of California. Mr. Chairman, as I understand the provision of the bill as it now stands, if the applicant does not appear upon the day set in the notice and make his proof, the entire procedure would fall to the ground, and he would have to begin de novo. Now, applications for naturalization are generally made on the approach of an election, and if one were defeated on the first attempt he would not have his right to vote; but having gone to the extra trouble and annoyance which this bill calls for to bring his case to the attention of the court, and then being unable to appear either himself or his witnesses on the day set, he ought not to be compelled to lose what he has been to a great deal of trouble and annoyance to have done. But if there be no objection, then he shall be permitted to appear at any time thereafter and have his petition heard. If no objection is made up to the day stated in the notice, then it is fair to assume there is not going to be any objection; but he might not be able to appear on the day set for him or might not be able to have his witnesses there. I called attention once before to the very great hardship which this bill is going to work upon the aliens of the western country, where the distances to the courts are very great. A man in my district may have to go 200 miles to reach the county seat or the court. Now, they are to go there with their witnesses, and generally they have not a great number of neighbors from whom they can select their witnesses. They must be there on a day certain, and if they are not they lose the benefit of all they have done theretofore in making their application. I think this amendment justifies the purpose of the bill, and I hope the committee will not oppose it, as it does not undo any of the safeguards that they have provided.

Mr. BENNET of New York. I ask forty seconds to answer the gentleman.

Mr. Chairman, the language "stated days," in line 2, page 9, very plainly refers to days set by the court, and there is nothing——

Mr. BONYNGE. It is a law in New York to-day.

Mr. BENNET of New York. It is the law of New York to-day. Now, there is nothing in the language which provides that if a given case is not reached and not concluded on one day the court shall not adjourn until another stated day.

Mr. SMITH of California. I ask unanimous consent for one minute to reply.

Is it not necessary in order to preserve his case that he should have it changed to another day certain? It will be necessary for him or some one to appear and make the motion for a continuance. It is not supposed that the judge will continue this case; and even if the court would, how could the court know what other day would be convenient to an alien who lives from 150 to 200 miles distant, when he might be absent because of sickness of himself or of witnesses, and the

court would not know what had prevented him from appearing on that day; but if no objection were made, he could present himself at some other time, if he were permitted to come in, and finish making his proof.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The question was taken; and the motion was rejected.

The Clerk read as follows:

SEC. 9. That no alien shall hereafter be naturalized or admitted as a citizen of the United States who can not write in his own language or in the English language, and who can not read, speak, and understand the English language: *Provided*, That this requirement shall not apply to aliens who are physically unable to comply therewith, if they are otherwise qualified to become citizens of the United States.

Mr. BONYNGE. Mr. Chairman, I ask the Clerk to read the amendment of which I gave notice and which is at the desk.

The CHAIRMAN. The gentleman from Colorado offers the following amendment, which the Clerk will report.

The Clerk read as follows:

In line 3, page 10, after the word "States," add the following words: "*And provided further*, That the requirements of this section shall not apply to any alien who has prior to the passage of this act declared his intention to become a citizen of the United States in conformity with the law in force at the date of making such declaration."

The amendment was agreed to.

Mr. WHARTON. Mr. Chairman, I rise for the purpose of offering an amendment to this section.

The amendment was read, as follows:

Amend section 9, by striking out, in lines 22 and 23, the words "write in;" and in line 23, after the word "or," strike out the word "in;" and in lines 23 and 24, to strike out the words "and who can not read, speak, and understand the English language;" and to insert in line 22, after the word "not," the words "read, write, speak, and understand;" so that the same as amended shall read:

"That no alien shall hereafter be naturalized or admitted as a citizen of the United States who can not read, write, speak, and understand his own or the English language: *Provided*, That this requirement shall not apply to aliens who are physically unable to comply therewith, if they are otherwise qualified to become citizens of the United States."

Mr. KENNEDY of Nebraska. Mr. Chairman, I desire to have an amendment to the same section read for information.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the amendment which he sends to the Clerk's desk may be read for information. Is there objection?

There was no objection.

The Clerk read as follows:

Strike out lines 21, 22, 23, 24, except the syllable "pro," and insert: "SEC. 9. That no alien shall hereafter be naturalized or admitted as a citizen of the United States who can not speak the English language."

Mr. WHARTON. Mr. Chairman, the report of the committee, on page 3, says, among other things:

An alien is admitted into this country under existing laws without any educational qualification. He is permitted to reside in the country and enjoy all the advantages of our citizenship and its opportunities for his own improvement. It has seemed to your committee that any alien of ordinary intelligence who desired to take advantage of these opportunities and to fit himself for citizenship in our country could, in the five years' residence which is required in the country before he can apply for naturalization, acquire sufficient education to comply with the requirement that he shall be able to write, either in his own language or in the English language, and speak, read, and understand the English language.

It seems to me that is too harsh a qualification for us to require before a man can become a citizen at this time. I have therefore offered my amendment, which provides that a man be required to speak, read, write, and understand either the English language or his own. It puts it in the alternative. It gives him the option of one or two languages, and that I think in itself is a liberal education. And if you will stop to consider how many men we have here, how many people there are in this country who do not thoroughly understand the science of language, either English or any other kind, yet who have made good citizens, I believe you will say that this amendment of mine goes as far as we dare go in requiring an educational test. To go any further would simply be saying that we are going to build up two classes—one class, the educated, who shall have the right to vote and say who shall make the laws, and another class who can simply come here and live, work, and pay taxes, but have no rights as citizens. I say if we are going to do this, let us make it impossible for those people to reach our shores; but let us make it so that if they do come here by our invitation they shall be taken and given the rights to which they are entitled.

The amendment offered by the gentleman from Nebraska [Mr. KENNEDY], in my opinion, goes a little too far in one direction, and in another direction it does not seem to me to go far enough, in providing that a man shall be able to speak English. Now, a man may be able to speak English, and yet may not be able to read, write, or understand it. That would hardly be a qualification which would fit him for naturalization or citizenship, if we are going to pass any restrictions at all; but, on the other hand, there may be many people, and undoubtedly there are many Members of Congress who have in their districts colonies of people who have come here and settled and who make some of the best citizens in this country. For instance, a colony of French, Swiss, Polish, Bohemian, Lithuanian, or German citizens come from the mother country and settle in one particular part of our country, say, in a particular county. They never get much outside of that county. Now, to say that they are not good citizens I think we will all agree will be stating an untruth. I believe this amendment of mine is as far as we should go at this time in providing educational qualifications. I ask the Members of this House to pass it. [Applause.]

[Mr. STEENERSON addressed the committee. See Appendix.]

The Clerk read as follows:

Strike out the last word in line 22, page 9, and all of lines 23 and 24 and insert the following, "read and write in the English lahguage or in his own language."

Mr. KENNEDY of Nebraska. Mr. Chairman, I move that the amendment which I just sent to the desk be substituted for the amendment offered by the gentleman from Illinois.

The CHAIRMAN. The Chair understood the gentleman from Minnesota to ask that his amendment be reported. The Clerk will again, without objection, report the amendment offered by the gentleman from Nebraska.

The amendment was again reported.

Mr. KENNEDY of Nebraska. Mr. Chairman, the amendment just read from the desk removes from the bill practically all of the educational tests. No man has a higher appreciation of the privileges of American citizenship than I have, and no man has a stronger desire to dignify American citizenship. I believe that any policy which would permit any large body of men to live in the United States and not be eligible to American citizenship is wrong. The tests to apply to this proposition are those which tend to common ends and common interests, and if we require immigrants coming to this country to speak the English language after they have lived here for five years, that is not an unreasonable requirement.

Mr. WHARTON. Mr. Chairman, I would like to ask the gentleman, under your amendment as it reads now, might not it be possible for a man to live here any number of years, and although he may have all of those qualities which would fit him in every way for citizenship, make him a man who would be in accord with our principles, the principles of our Government and our institutions, yet it would not be possible for him to gain admittance as a citizen, because he could not speak the English language.

Mr. KENNEDY of Nebraska. No, sir; because when a man otherwise eligible to become a citizen has lived in this country for five years, if he has taken an interest in the affairs of the country, if he has intermingled with our people, if he has brought himself in contact with our institutions, he will be able to speak the English language so as to comply with this requirement.

Mr. WHARTON. Suppose this alien who comes here from a foreign shore, poor as most of them are, has to go to work in some plant or factory or some other line of industry where he earns his living with his hands and has to work all day to support his family and lives in a community of people from the same country that he comes from, whether he be Lithuanian, French, Swedish, German, Polish, Bohemian, or of any other nationality, is it not possible such a man as that, while he might become a good citizen, yet it would not be physically possible for him on account of lack of time to give away from his work and the necessity of rest, of sleep, of recreation, etc., would it not be possible for large numbers of them or one of them not to be able to learn English or speak it?

Mr. KENNEDY of Nebraska. No, Mr. Chairman——

The CHAIRMAN. The time of the gentleman has expired.

Mr. PALMER. Mr. Chairman, I ask that the gentleman's time be extended five minutes.

Mr. HINSHAW. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. PALMER. I want to ask a question——

Mr. KENNEDY of Nebraska. Let me answer the question of the gentleman from Illinois. No man, no matter what language he may have spoken, can labor day in and day out in any employment and not acquire a practical knowledge of the English language, because he is not associated always with men who speak a foreign tongue. He is associating with men who in most instances speak the English language, and the one thing which

tends to the assimilation of all elements in this country is the common language.

If I believed, Mr. Chairman, that a man otherwise qualified to become a citizen would by that requirement be excluded from citizenship, I would not offer this amendment; but I believe that any man who has sufficient interest, sufficient energy, and sufficient ambition to become an American citizen should and would make the effort necessary to acquire the language which is the language of the land of his adoption.

Mr. BARTHOLDT. Of course we are dealing here with facts—not with conditions as they ought to be, but as they are. Suppose a man had not the opportunity of learning the English language; suppose he is a good citizen in every other respect, but by his associations in the shop and with his family, and considering the locality in which he lives, he has not the opportunity of learning the language, would you not punish him by this provision? Would you not keep him for all time out of the privilege of becoming an American citizen?

Mr. KENNEDY of Nebraska. Perhaps so, if the conditions stated by the gentleman from Missouri [Mr. BARTHOLDT] existed. But, Mr. Chairman, I can not conceive of any man employed in this country in any line of business or work who has not this opportunity.

Mr. STEENERSON. I would like to cite an instance. Two-thirds of the State of Minnesota has been settled by men who could not speak the English language originally. They have built schools and colleges throughout that State, and they have the best educational system in the United States. They had no opportunities themselves for learning the language on the frontier. When a man is on the frontier, where he is building a schoolhouse for the future generations, he can not go to school himself. He is busy. Those are things that you can not get around.

Mr. KENNEDY of Nebraska. Let me ask the gentleman, What language is being taught in the schools that are being built?

Mr. STEENERSON. The English language. They are the most enthusiastic people in any State in the Union.

Mr. BURLESON. Will the gentleman permit me to make this suggestion? Suppose a foreigner was a farmer and remained at home attending to his own business, what opportunity would he have for association with those acquainted with the English language and to acquire a knowledge of it?

Mr. KENNEDY of Nebraska. I will say to the gentleman that I have in my district a large foreign population speaking languages other than English. If I believed by this amendment I would take from one of these men a right he is reasonably entitled to, I would not offer it. I believe, and my observation is, that in five years' time they do acquire a sufficient knowledge of the English language to comply with this requirement.

Mr. BURLESON. If that is so, what is the necessity for an amendment? Why do you have any amendment at all?

Mr. KENNEDY of Nebraska. Because, Mr. Chairman, this bill as it stands requires that the applicant shall read and write. My amendment does not require that he shall read or write in any language, and makes the sole requirement his ability to speak the English language after five years' residence in this country.

Mr. BARTHOLDT. Of course your amendment liberalizes the provision?

Mr. KENNEDY of Nebraska. Yes, sir; that is the point I am getting at.

Mr. BARTHOLDT. Probably we shall vote for that, unless we can vote——

Mr. COCKRAN. Is it in order to oppose the adoption of all of these amendments?

The CHAIRMAN. The Chair did not understand what the gentleman has said.

Mr. COCKRAN. Is it in order now to move to strike out the whole section? Is it in order to take the floor in opposition to all these amendments?

The CHAIRMAN. To take the floor in opposition to any of them. The Chair will recognize the gentleman from New York [Mr. COCKRAN].

Mr. COCKRAN. Now, Mr. Chairman, I would like the indulgence of the committee in advance for a little additional time, as I want to discuss the whole principle underlying this opposition, and I was incapacitated from attending the House during the pendency of the general debate.

Mr. BONYNGE. Mr. Chairman, I desire to ask the gentleman from New York how much time he desires?

Mr. COCKRAN. I do not quite know. It will be but a short time, I think, as I have not anything prepared. I came down under sudden summons.

Mr. BONYNGE. I realize, Mr. Chairman, that the gentleman was absent during the general debate, but he expressed to me a long time ago the desire to debate this section of the bill. I do not wish to be at all unreasonable, but desire to say that most of the general debate was not upon this section. I intend that there shall be debate upon it, but I would like to get some idea from the gentleman how much time he will require.

Mr. COCKRAN. Twenty minutes to half an hour to debate this section.

Mr. BONYNGE. Mr. Chairman, I yield to the gentleman twenty minutes to see if he can not conclude his remarks in that time. I ask unanimous consent that the gentleman may be allowed twenty minutes.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that the gentleman from New York [Mr. COCKRAN] may proceed for twenty minutes. Is there objection?

There was no objection.

Mr. COCKRAN. Mr. Chairman, while I take the floor formally to oppose all pending amendments, my ultimate intention is to move that the entire section be stricken out.

It is not any exaggeration to say that this proposal is one of the most important ever submitted to the American Congress. If adopted into law, it must work a complete revolution in the naturalization laws which have governed us since the foundation of this Government, and therefore it would not merely affect decisively our own condition, but it would involve consequences of the utmost moment to the whole human race.

So far as this measure aims to regulate the procedure of naturalization, to make it orderly, uniform, effective in all the different States, I think it deserves nothing but praise. Whatever conditions of naturalization Congress in its wisdom may see fit to establish, it is in the highest degree desirable that they be enforced with rigor and impartiality. But this particular section proposes a change, not in the procedure by which the conditions of naturalization are to be enforced, but in the conditions themselves—a change so radical that if adopted, it will result in the withdrawal of this country from one of the most commanding positions which it has occupied in promoting the improvement of human hopes, the uplifting of human conditions, and the spread of civilization throughout the world.

Mr. Chairman, there are two aspects of this question which I hope the committee will consider very carefully. First, its effect if engrafted upon existing immigration laws, and secondly, the advisability of enacting it, even if it were possible to assure ourselves that the laws governing the admission of immigrants to this country would be amended in a similar direction.

I think the committee will have little difficulty in concluding that while the law governing immigration remains in its present form this proposal is wholly indefensible. As the law stands, our ports are wide open to all members of the Caucasian race. To enter this country a person needs only to be of good moral character and of physical ability to earn a livelihood. Up to the present time the conditions of admission to our population and of admission to our citizenship have been practically identical. Under this proposal they are made wholly different. It establishes an educational qualification for naturalization which probably not 10 per cent of the million and odd people who came into this country last year could undergo successfully.

The first question we must consider, then, is the effect of admitting every year a million aliens to our population who must be excluded from our citizenship if this proposal be adopted into law.

Of course, if the immigration bill introduced by the gentleman from Massachusetts [Mr. GARDNER] should become law, then an educational qualification will be imposed on every immigrant at the port of entry, and, of course, it would apply itself automatically to the same person when he sought admission to citizenship. But I am sure the gentleman from Colorado will concede that we must consider this section in the light of its effect on the law as it is, not on the law as it may be altered or amended hereafter.

Now, I wonder do gentlemen conceive the full significance of this proposal. First, consider its possible effect upon our foreign relations. Gentlemen must be aware that the Government of the United States claims the right to protect its citizens wherever they may be; to follow them with its watchful eye whithersoever they may go, and see that in every country a traveling or visiting American shall be afforded equal rights before the law with the native-born citizen or subject. While we assert that right against all other governments, we must in morals and conscience concede the same right to them. Our citizens sojourning abroad are a numerous class, but generally they are wealthy travelers for pleasure, who spend large sums of money wherever they abide. Their visits are keenly welcomed, and

wherever they may go everthing is done to promote not merely their security, but their comfort and even their amusements, so that their expenditures may be encouraged.

Aliens coming to this country, on the other hand, as a general rule, are without money to spend, but under the stern pressure of a livelihood to gain. There is nothing about them to awaken friendly interest among those with whom they come in contact. In the main, they are ignorant of our language and of our laws. Far from appealing to the interest of the native, they are likely to provoke hostility which may even reach turbulent demonstrations. If these aliens are not received as citizens, they must remain subjects of the governments under which they were born. Any violence perpetrated against them that could be charged to race prejudice or religious animosity may form a basis for representations by the government to which they owe allegiance.

The gentleman from Colorado must remember that only a few years ago in the city of New Orleans the lynching of some Italians became the subject of an acute diplomatic crisis, which this country settled by the payment of a large sum—I think it was $25,000—to the relatives of the victims. Had these men been naturalized they would have been entitled to the same protection as all their fellows and no more. Their security would have concerned no government but that of the State in which they lived. No alien government could have asked a question about them. Is it wise, is it defensible, to multiply sources of foreign complications by maintaining a large and constantly increasing body of alien residents whose right to equal treatment under the laws may at any time become a subject of discussion between the United States and foreign countries?

Surely, sir, a proposal effecting a change so momentous in our policy should be justified by reasons cogent, weighty, unanswerable. What reasons are advanced in support of it? So far as I know, we have nothing but some vague phrases of the gentleman from Colorado, reiterated again and again, to the effect that benefits resulting from citizenship are very great, and therefore that conditions of citizenship should be made very difficult, apparently on same mysterious principle that benefits and difficulties should be made to balance each other. The gentleman seems to forget that admission to citizenship involves the assumption of burdens as well as the acquisition of privileges. He seems to forget that while American citizenship is a high privilege, it does not consist in escaping burdens to which others are subject and acquiring rights which are denied to others, but rather in assuming very serious burdens without any very great extension of substantial rights.

What essential right that the citizen enjoys can you deny to an alien, once you have admitted him to your population? The right which our political system holds essential and inalienable is the right of every man to work when, where, how, and for what he pleases, and to enjoy in liberty and security all that his work produces. Can you deny that right to the alien the moment he lands on this soil, without reducing him at once to servitude? Your Constitution, which prohibits slavery, compels you to give the alien when he reaches this country the full protection of your laws, the right to work, the right to sell his labor, and to enjoy all that his labor produces. All the power of your Government must be exercised to defend him in that privilege, not for his sake, but for your own. True, in some States he is not allowed to own land directly, but all other fields of investment are open to him, and by ownership of corporate shares he can become the possessor of land to any amount that he may wish to acquire. And while you must, by the very organic law of your political being, employ every agency of government to protect and defend him in all his essential rights, yet under the operation of this proposal he would be exempt from any obligation to bear a part in defense of that government if this country were invaded or threatened with invasion. He is exempted from jury duty and many obligations which are part of the burdens assumed when citizenship is acquired.

While vast and steadily increasing numbers are admitted to your population, whose lives, liberties, and property must be protected by your laws, is it wise to relieve them from bearing a share in the common defense? But the gentleman justifies this proposal on the ground that an educational qualification will of itself improve the quality of the electorate by limiting the suffrage to educated men. Even if the gentleman's fundamental assumption be true, if education be indeed conclusive proof of moral merit—which I deny—this proposal would not restrict suffrage to the educated among those who seek our shores. This proposal would not exclude anybody from the suffrage, for the simple reason that the suffrage is not a subject of Federal control, and therefore can not be regulated by Federal statute. We can exclude voters from citizenship, but we can't prevent aliens from becoming voters. If this proposal be adopted, aliens who never can be citizens will still vote in many States of this Union.

Conceive, Mr. Chairman, what this may portend. It is well within the bounds of possibility that this country may become involved in a dispute with another country, against which a large number of persons dwelling here may be inflamed by racial prejudices, by memories of wrongs inflicted on themselves or on relatives, and the votes of these aliens in pivotal States may decide a Presidential election. On that election may turn a question of peace or war. Its result may plunge this country into hostilities, and if this provision be adopted these aliens will be free from any obligation to face the bullets which their votes may have provoked.

But, Mr. Chairman, the most ludicrous feature of this proposal, conceived in distrust, if not contempt, of the alien, is that in operation it will result in creating two distinct classes of citizens by elevating the naturalized to a higher plane than the native citizen. Under such a system a vast majority of the aliens admitted to citizenship must speak and know two languages. Everyone not from an English-speaking country must be able to speak, read, and write his own language, and besides he must be able to speak and read English. This is practically a requirement that he be master of both tongues, for whoever can write one language can write any other which he is able to read.

Now, this will be rather a high degree of intellectual attainment. How many of us here could meet such a test? But everyone holding a certificate of naturalization will be adjudged to have passed it successfully. Citizenship for the native carries with it no implication of any particular excellence of quality. The native may be ignorant, unable to read or write. He may be quarrelsome. He may be unclean of person and unclean of speech. He may be incapable of earning his own support. But so long as he keeps out of jail he is equal in point of citizenship with the best, the most cultivated, the most efficient of all his fellows. In the whole body of our citizenship the naturalized under this law must be raised to a plane of peculiar distinction, since he alone will be held by the formal finding of a competent court—by solemn judicial decree—to be a scholar and a gentleman.

Is this an exaggeration? It was said of Sir Walter Raleigh that he was a soldier, a sailor, a scholar, a statesman, and a gentleman. Well, Mr. Chairman, under this proposal every naturalized citizen must have four-fifths of the qualifications which distinguished that most brilliant ornament of the Elizabethan age. He must be a sailor, at least to the extent of having crossed the sea. He must be a soldier to the extent of assuming liability to bear arms in case of war. He must be a scholar to the extent of having mastered two languages; and he must be a gentleman, because he must satisfy a court that he is of unblemished moral character; and surely no one will question that the possessor of all these excellencies, moral and intellectual, must be a gentleman.

This section does not absolutely require an applicant for citizenship be a statesman, but as statesmanship is an accomplishment that can be acquired, and as the naturalized citizen will be eligible to every office in the country except one, it is reasonable to assume that in some instances at least he will develop into a statesman. Is it any exaggeration to say, sir, that if this proposal be adopted, in the body of your general citizenship a select body will be established, of which each one must be actually four-fifths and potentially five-fifths a Sir Walter Raleigh, while the native citizen may be anything short of a convict?

Mr. Chairman, I am opposed to the creation of separate classes in the body of our citizenship, and I think it is in the last degree unwise, almost disloyal, to change our naturalization laws so that while citizenship will raise no presumption of excellence in native born, it will raise a presumption of high excellence in naturalized citizens.

The gentleman from Colorado may say that these criticisms do not constitute an argument against the principle of this provision, but merely in favor of carrying it a step further back and of applying the educational test to every immigrant at the port of entry. I am quite ready, sir, to concede that it is impossible to discuss this policy intelligently or profitably unless we go to the very root of the proposal and argue candidly the graver question which underlies it. Should immigration itself be restricted; and if so, should the restriction be made effective by an educational qualification?

Sir, I have no hesitation in submitting to the judgment of this committee, and I think it is capable of demonstration, first, that immigration instead of being restricted should be encouraged, and, secondly, that this legislation, if it be adopted, instead of operating to exclude the undesirable will operate

to admit none but the undesirable, while it will shut out those who are in the highest degree desirable.

In discussing whether immigration itself should be restricted, the first step is to ascertain the precise relation between the immigrant and this country. Some gentlemen seem to think there is a great sacrifice, or at least a grave risk, of imperiling some American interests in giving asylum to this body of refugees from over the world. I believe that the immigrant, while he obtains great advantages from this country, gives as much—aye, sir, more than he receives. I will go a step further. I say there is nothing can come through our ports so valuable to our prosperity and welfare as a pair of human hands willing and eager to employ themselves in the cultivation of this soil. [Applause.]

What object can move the unlettered immigrant to come here? What can he do when he enters this country? Does anybody think that he comes here to seek a life of ease? How could he expect to secure it? Who would furnish him with support or with amusement? He can come with but one purpose, and that is to work. As he comes without capital, he can not be his own employer. He must therefore sell his labor in the open market. No one will employ a laborer for the mere sake of obliging him or being generally agreeable. The laborer will be employed only where there is a profit in employing him. He can't find employment—he can't work—he can't live unless he produces by his own labor all that he consumes himself—that is to say, his wages plus a profit to his employer. The difference between the wages which he receives for his own support and the total value of his product is the measure of his contribution to the general welfare of the country. Every laborer who comes here is, then, a source of abundance. No matter what his disposition may be, under the very law of his being he must be a contributor to the common stock, because he must produce more than he himself consumes. Any attempt to restrict the number of immigrants coming to this country is, therefore, an attempt to reduce the sources of our prosperity.

I know that certain shortsighted persons say the immigrant, when he engages in work, displaces some American laborer. Mr. Chairman, I will not dispute that statement. It is true in one sense. Every immigrant who works on this soil does displace a native laborer. But how? He displaces him not by excluding him from all employment, but by lifting him on his shoulders to a higher plane of industry, where he earns higher wages. Surely, sir, it must be obvious to every gentleman here that under the essential conditions of industry no immigrant can work without improving the condition of everyone who dwells on the same soil.

The immigrant is nearly always an unskilled laborer. To live he must engage in what is called "day's work"—that is to say, in the most poorly paid, though the most important, in the whole field of industry. He digs drains and ditches; he paves streets and sweeps them; he builds railroads; he engages in every form of work which requires the strongest muscular exercise and obtains the smallest compensation.

Now, this work the American can not be induced to do. Yet it must be done. It is the most important of all work, the fountain of all other employment. It must be performed before any skilled workman can ply his trade. Do gentlemen realize that skilled work is seldom if ever exercised on the earth itself, but always on some product of the earth? No mechanic, whatever his skill, can become productive until he obtains raw material on which that skill may be employed. And those raw materials must be produced by that manual labor (the most poorly paid, yet the most important), to which the American laborer will not stoop, but which the immigrant gladly embraces an opportunity to perform. Every immigrant who brings from the bosom of the soil a single commodity gives employment to others instead of wresting employment from them. The coal which he produces with his pickax gives employment to the railway hand who transports it and to countless others at every stage of its progress from the mouth of the pit where it is mined to the furnace where it is consumed.

The agricultural laborer who turns a furrow in the field and scatters seed upon it is producing grain which when harvested must be carried to the mills and there ground into flour, and then transported to bakeries, where it is made into bread for the consumption of millions; and at every stage of this production men are furnished employment by the raw product of unskilled labor. Wherever a skilled mechanic is active, we know that somewhere or other unskilled laborers are ministering to the necessities of his industry, providing the materials on which his craft is exercised. Can a building be constructed, or a bricklayer, a plumber, a carpenter, or any other skilled laborer be employed in its erection until the foundations are laid and the cellar dug by unskilled labor? Can an engine be placed in motion by the trained hand of the engineer until the untrained hand of some common laborer shovels the coal which feeds its boiler?

Skilled laborers in this country obtain the highest compensation in the world, but these high wages could not be paid if the materials of their industry were not furnished by cheaper labor. A bricklayer, who is paid, say, $5 a day for eight hours' labor, receives a very high compensation judged by the rate of wages throughout the world. But how is it possible to pay him that amount? For remember every laborer, skilled or unskilled, must not only produce the amount of his own wages, but in addition he must produce a profit to the capitalist who employs him. It is possible to pay the bricklayer $5 a day only by keeping him every minute of the eight hours, which constitute his period of toil, actively at the work of laying bricks. Suppose he had to carry his own bricks from the pile in which they were heaped to the place where he was working. Does anybody suppose he could earn $5 a day, that any employer could afford to pay him such wages if two-thirds of his time were spent in carrying bricks from the ground? But this an unskilled laborer can do quite as well, and perhaps better than a trained mechanic. And under the operation of our immigration laws, an alien, and Italian, a Hungarian hod carrier is glad for $1.60 a day to carry those bricks to the bricklayer who is thus left free to occupy every minute of his time in the higher form of industry for which he is specially trained, and therefore to produce the equivalent of his own wages and of his employer's profit.

While the high wages of the bricklayer are made possible by the laborer who carries his bricks, yet the skilled laborer is not benefited at the expense of the unskilled laborer. That Italian or Hungarian hod carrier never had wages one-half so high as what he receives for aiding the bricklayer. The immigrant improves his own position considerably by performing the unskilled labor, while at the same time he contributes decisively to the welfare of the native laborer. In the light of these indisputable truths, what must be the effect of the policy which you propose on the prosperity of the American people? What will be the result of applying to prosperous conditions this jejune statesmanship, which, in the name of improvement, seeks constantly to disturb or modify the political system of a country whose history shows that its government is the best and its laws the wisest the world has ever known? Exclude immigrants from your soil, and what becomes of the bricklayer, what becomes of the engineer, what becomes of all the skilled workmen who must depend for their high wages upon the facility and cheapness with which they can secure the raw materials of their industry?

If immigrants be shut out, obviously Americans must be required to do this rude elemental work, which can not be suspended without paralyzing the whole industrial machine. This means higher wages must be paid for it. But if the hod carrier be paid more the bricklayer must be paid less. Every building, every enterprise, every productive scheme, whatever it may be, is yielding in wages now the utmost that can be drawn from them. You can by this provision or by other legislation rearrange the distribution of the total wage fund, but you can not swell its volume. If the wages of the hod carrier be increased, the wages of the bricklayer must be reduced, and what is true of bricklaying is true of industry in all its branches. This vast tide of immigrants coming to our shores, seeking no advantage or privilege except to use their hands in production, take nothing from any man's mouth, but they are increasing abundance on all sides. The marvelous prosperity which has distinguished this country above all others began when the tide of immigration began to flow hitherward. Our prosperity has grown with the growth of immigration, and now, Mr. Chairman, for no reason that can be understood, we are asked to arrest this stream of producers which, while improving the condition of its own units, has worked measureless improvement to this country.

Mr. Chairman, I confess I can not understand the mental processes which have brought such a proposal before this House. I am aware, sir, the gentleman from Colorado insists that he aims merely to improve the quality of our citizenship and the quality of immigration to this country, while gentlemen who agree with him say that we should welcome good immigrants, that we can not have too many of them. Then, sir, in the name of common sense, of right thinking, of profitable, not to say reasonable, discussion let us know what is meant by a "good immigrant."

I believe, sir, that we do not want linguists, but we do want laborers. [Applause.] I do not think we need men skillful in dialectics, but we do need men efficient in wielding implements of production. Strike out this section, and I will gladly agree to a provision which, instead of providing a ridiculous

educational test, which can not operate to exclude the really undesirable, will establish an industrial test so thorough that anyone who meets it will have proved himself an efficient laborer, and, therefore, a useful citizen.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COCKRAN. I ask for ten minutes longer.

Mr. BONYNGE. If the gentleman will finish in ten minutes, I will not object.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COCKRAN. I wish to add merely this suggestion: So far from improving the quality of citizenship, this provision, I repeat, will result in debasing it. Whom will this shut out?

Does the gentleman realize that the men who can pass the test which is applied in this section, or the test proposed in the immigration bill of the gentleman from Massachusetts [Mr. GARDNER], are not men who will work at manual labor for $1.50 a day? A man who has received such training will in the nature of things seek employment where these intellectual attainments can be turned to profit. He will compete with Americans in the field of bookkeeping, the various branches of clerical work, in journalism, or in the professions. Do we need any additional competitors in these fields? I trust some supporter of these measures will answer this question candidly and frankly. On the other hand, we can not have enough producers. We can not have enough men to wield the pickax and shovel, to swell the tide of production and to broaden the demand for skilled labor throughout the country by multiplying the raw products which must be manufactured into the finished commodities available for consumption.

The gentleman from Colorado seems to think that the man who can read and write is morally better than the man who, ignorant of letters, can merely work. Sir, I have never known a man working with his hands who was dangerous to any community. The pests of society—the men who imperil the existence of governments and violate their laws—are all educated to some extent, and the most dangerous are not those of least extensive reading. Certainly this section would not operate to exclude a single one of those whom we regard as peculiarly objectionable, while, as I have said, it would shut out multitudes who are highly desirable. Do you think this section would exclude the man who hurled the bomb at the procession returning from the royal marriage in Madrid on Wednesday? Would it have excluded the Chicago anarchists? Would it have excluded Czolgosz? Would it have excluded Guiteau, had be been foreign born? Would it exclude Johann Most or a single anarchist who has come here to spread his pernicious doctrines? Sir, this section might be described with perfect accuracy as a device to shut out the laborious and admit the loquacious. [Laughter and applause.]

I appeal to the experience of all gentlemen here, and ask who are the best men morally you have ever known? Have they always been the possessors of certificates declaring them to be educated or highly trained? How many of you have met depraved men or vicious men in the great tide that rolls every morning from humble homes to some scene of industrial activity? If I were asked to name the man who of all my acquaintance came nearest to *filling* my ideal of a gentleman—and my acquaintance has been pretty extensive, covering every class and description of men, from the culprit awaiting his doom to the Pontiff on his throne—I should say it was an unlettered naturalized day laborer, who lived for fifty years in the village where I have passed the last twenty summers, who with no peculiar advantage whatever, so impressed every one who met him, from the laborers who worked with him and the neighbors who lived near him, to the foreman who directed him and the employer who paid him, with such a sense of his excellence and native dignity that he was always addressed personally and referred to in his absence as "Mr. Carey."

He is dead now and I can speak of his as a completed life. He was a citizen of Port Washington, a constituent of the gentleman from New York [Mr. COCKS], who probably knew him personally. He had accumulated by untiring industry and rigid economy some money, variously estimated at $30,000 to $50,000. Equally free from insolence or servility, he never offended or feared anyone. Indeed, he had but one fear. It was not of death. I visited him in his last sickness, and saw him face the final ordeal with perfect composure and majestic calm. But he was haunted by an apprehension that some day he would be unable to do a day's work. This he dreaded, not from fear of want, he was beyond it; not from avarice, he was singularly free from the slightest taint of it, but from mere love of work, from a simple, unaffected, but profound sense of loyalty to the task—the obligation to labor of some sort—which is imposed on every human being by the God who created him.

Sir, Mr. Carey was not an exceptional person. He was a type of a large class, members of which are found in every city and village of this country. I appeal to gentlemen residing in small communities, where the different elements constituting the population are known to each other, is there a village or town in any State of this Union—at least in any of those States with large numbers of alien-born inhabitants—where men of this character can not be found? Yet, sir, Mr. Carey would be excluded from citizenship under this proposal or from admission to this country under the law projected by the gentleman from Massachusetts, while Czolgosz, Guiteau, Spies, Most, and every apostle of assassination and murder, preaching hostility to all government and all morality, could meet the test imposed by either bill.

Mr. Chairman, I have discussed this matter solely in the light of our own interests. I do not believe we have a right to consider proposals of legislation in any other light. As the head of each family must be governed by the interest of its members in everything he does, each government must exercise all its powers to promote the welfare of its own citizens. Still, Mr. Chairman, it is an inspiring and glorious feature of any political system that the laws which operate most effectively to promote its welfare operate also to improve the conditions and brighten the prospects of the whole human race. Sir, our policy of offering free asylum and cordial welcome to all white men has been at once the wisest and most beneficent for ourselves, but at the same time it has been the most decisive contribution of all ages to the progress of mankind. All the great events of history, the struggles and tumults, the conquests and invasions, the victories and defeats of which it is a record, are merely features of an irresistible tendency to movement among human beings. That movement of races no system of political organization, no form of government, however powerful or extensive, has been able to arrest or even to check, and that movement of races has always been the result of land hunger, of an imperious demand for new lands by mouths which could no longer be fed by the lands they occupied.

It was this hunger for land that moved barbarian tribes to invade the Roman province, overturn the Empire, and wreck the monuments of ancient civilization. That same hunger kept all the nations in a state of practically perpetual war during the period known as the "dark ages." Hitherto this pursuit of land led inevitably to violence. Men could obtain access to new soil only by conquering it, and new soil was essential to their existence. And so it came to be a general belief that the very condition of life forced men to war against each other. This belief of past ages has been refuted by the experience of this country. This soil has been the theater of a race movement greater than any the world has ever seen, yet it has involved no violence, entailed no injury to anyone, but wrought enormous benefits to countless multitudes. We have lit before the footsteps of humanity this shining truth: That men in the largest numbers can obtain access to new soil and new lands, not as foes to trample it, or as conquerors to plunder it, but as laborers to cultivate it, and while bettering their own condition, improve immeasurably the condition of those who receive them. We have changed this movement of races from a source of dread and waste to a source of confidence and abundance. The instinct which hitherto has raised the hands of men against each other in destruction, whereby all were injured, has under the benign influence of this country led them to cooperate in peaceful production, whereby all are benefited.

Sir, I appeal to every gentleman present, in the name of American patriotism, of human progress, and of Christian civilization, to maintain that policy which has been such a fountain of abundance to ourselves and such a light of inspiration to the world, to leave wide open the doors through which all the industrious may freely enter here, that hereafter, as in the past, vast masses of men, however dissimilar in language, in tradition, and in habits, may in our fields of industry—and their children in our public schools—continue to be fused into that mighty citizenship which for a century has been the strongest inspiration to progress, which is to-day the supreme hope of civilization, and which will remain its firmest bulwark forever. [Loud applause.]

Mr. BONYNGE. Mr. Chairman, during the general debate that was had upon this bill much of the discussion was devoted to this particular section. I do not think it will be unreasonable, therefore, if I shall ask that some limit shall be placed upon the debate upon this section. Before attempting to fix that time, I desire, however, Mr. Chairman, to make a brief

statement of the position of the committee in reference to this section.

During the general debate, Mr. Chairman, I yielded readily and willingly to any gentlemen who desired to propound questions to me either in regard to this section or any other section of the bill. I had no opportunity, and have had none up to the present time, to make any concise, consecutive statement of the views of the committee in reference to this matter, and therefore I shall ask, Mr. Chairman, that I shall not be interrupted in making the statement that I desire to make to-day. No effort was made to interrupt the gentleman from New York, and therefore I must give notice now that I shall decline, until I have made the statement that I desire to make, to yield to any gentleman to ask a question.

Mr. COCKRAN. Before the gentleman begins, would he allow me to suggest that if he has any question that he desires to put to the gentleman from New York, the gentleman is ready to answer?

Mr. BONYNGE. Mr. Chairman, I will not yield. I asked unanimous consent for the gentleman to have thirty minutes' time. I think the gentleman will certainly accord me the courtesy of not asking a question. I did not ask him any question, and I ask this consideration, which I think is due to me from the Committee of the Whole.

Mr. COCKRAN. One moment!

Mr. BONYNGE. I will not yield to the gentleman from New York.

The CHAIRMAN. The gentleman declines to yield.

Mr. COCKRAN. It is a personal explanation.

The CHAIRMAN. The gentleman declines to yield to a question and declines to yield for a personal explanation.

Mr. COCKRAN. The gentleman misunderstood what I said.

Mr. BONYNGE. What is it the gentleman desires to say?

Mr. COCKRAN. The gentleman yields now. I did not ask the gentleman a question now, as he does not desire to be interrupted; what I did say was, if there were any questions the gentleman from Colorado wished to put, the gentleman from New York was entirely ready to answer.

Mr. BONYNGE. Why, Mr. Chairman, I suppose the gentleman from New York will understand that if I had desired to ask him a question I would have propounded it to him. I had no question or I would have asked it. The gentleman asked a great many questions during general debate and I tried to answer them at that time, and do not desire to be interrupted now.

Now, Mr. Chairman, I desire to proceed. This section is in the exact language of the bill drafted by the commission appointed by the President to revise the naturalization laws. We have consented to one amendment, and, after consideration, the committee proposes—or, at least, so far as I am concerned, I shall favor an additional amendment.

I desire to say, Mr. Chairman, that the strong argument that has appealed to me from the beginning in reference to the provision of this section is that which every Member upon the floor of this House, so far as I can recall, who discussed this bill during the general debate agreed to—that those who speak the English language will more readily and more easily assimilate with the great mass of our population and become familiar with our institutions. I do not recall in the general debate had upon this bill a statement made by a single gentleman upon the floor in contradiction of that proposition; and that is, that those speaking the English language more readily assimilate with our people. It is not that I regard the English language as better than any other language. The French language is more accurate, the German language more forcible, and the Italian language is more rhythmic. Other languages may have other advantages.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BONYNGE. I ask unanimous consent for ten minutes more time.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BONYNGE. But, Mr. Chairman, whatever the advantages of other languages may be, the English language is the language of this country, the language in which all its court proceedings and legislative proceedings and the large part of all its business is conducted.

I say to you, Mr. Chairman and gentlemen of the committee, that history and reason alike demonstrate that you can not make a homogeneous people out of those who are unable to communicate with each other in one common language. You can not point to an instance in history where you will find a homogeneous people who have been unable to communicate in a common language. If you point to the Roman or the Danish or the Norman invasion of England, I answer you that it was but one single invasion, and that the invaders were soon lost, in a generation or two, in the great mass of the people. Wherever one race has conquered another it has in almost every instance either imposed its own language upon those whom it conquered or else it has taken the language of those whom it conquered. There never has been an instance in history where a great homogeneous people has been built up unless those people have had a common language.

Ah, some gentleman may point to the little Republic of Switzerland and tell me that they speak three different languages in that Republic—the French, the German, and the Italian. I believe it is true, but those who speak different languages are gathered together in their separate cantons, separated, as I understand, by mountain ranges, and have but little communication with one another. Remember, too, if you will, that we are not confronted with a single invasion, but yearly great numbers, now exceeding a million, already 90 per cent of whom can not speak English, are coming to our shores. This bill does not deal with the immigration question. We are concerned now with the requirements that we shall prescribe by law for the granting of naturalization to aliens. The gentleman from New York [Mr. COCKRAN], during most of his speech, was not discusisng the question that is before the House, and, consequently, there was no reason why I should interrupt him with any questions. He was discussing another and a different bill that will be presented at some other and some future time. I am not in charge of that bill. The bill that is before this House is a bill dealing with naturalization, a question which the gentleman from New York knows is separate and distinct, although growing out of the immigration question. But the question whether you are to make a citizen of an alien and whether you are to admit him into this country are two separate and distinct propositions.

Now, I want to say, Mr. Chairman, that the requirement that an alien shall speak the English language before being admitted as a citizen will not work a hardship upon aliens, and in support of that proposition I call the attention of the committee to what is shown by the census of 1900. According to that census, Mr. Chairman, there were in the United States at that time 5,167,000 persons of foreign birth, males and of voting age. The number who had become naturalized was 2,857,907. Of those who had become naturalized only 3.5 per cent were unable to speak the English language. Of those who had filed first naturalization papers there were 415,000, and of those 13 per cent were unable to speak the English language, demonstrating that the great majority of those who took out the first papers did during the succeeding five years acquire the English language.

But now mark what it shows in reference to those who had not taken out even their first papers. Of that number there were 1,067,000 (I will not give the odd figures) who had not taken out their first papers. Of that number 34 per cent were unable to speak the English language; demonstrating to my mind, Mr. Chairman, that of those who do not acquire our citizenship or acquire our language a larger percentage of them remain not only aliens in law but aliens in sentiment. Mr. Chairman, I submit that it is a travesty upon the naturalization laws of this country that such an occurrence should take place as happened in the Federal court of my own State less than a month ago. On the 9th day of May, according to a clipping from the Denver Republican, two Italians were brought before the Federal court of Colorado to answer to the charge of perjury in securing their naturalization papers. They pleaded guilty, and in throwing themselves upon the mercy of the court, as ground for leniency, they urged to the court that they did not understand the questions that were propounded to them when they were being made citizens of the United States; and because they could not understand those questions, because they did not understand the English language, the Federal court granted leniency to them and simply imposed a small fine upon each of them. I am not complaining of the sentence of the court. I pity the Italians, who were probably herded by some political committee to go into court and be naturalized for the purpose of using them upon election day. That is one of the things we want to prevent; but I do condemn the system that makes it possible for a great number to be gathered in, just preceding an election, for such purposes. Men thus naturalized can have but a poor conception of the dignity of American citizenship.

Ah, Mr. Chairman, some gentlemen say that this is a discrimination in favor of English-speaking people as against foreigners. I do not share in the slightest degree any sentiment of hostility to any aliens of any race. I could not by any possibility, Mr. Chairman, entertain such views. Antagonism to foreigners! Nothing could be further from my thoughts. I am simply seeking to do that which I believe to be for the wel-

fare of my country. I will yield to no man in admiration of what foreigners have done for the upbuilding of the country and in its defense, but I trust that above all things I am an American citizen and that I can look at this question from the standpoint of an American seeking to do that which is for the welfare of our country. I am ready to accept every man for what he is, regardless of his race, his color, or the language that he speaks. When you tell me that we never had such a qualification for a hundred years, let me answer you, Mr. Chairman, that during the past thirty or forty years there has been a large increase in the percentage of the non-English-speaking people.

Prior to 1870 a majority were of the English-speaking races. Since that time the increase has been such until now, as I remember the figures, more than 90 per cent during the past five or six years who came to this country were unable to speak the English language. We provide by law, and have for over a century, that an alien must live in the country for five years before he can be naturalized as an American citizen. The purpose of that requirement is that he shall fit himself for American citizenship during that period. It is admitted on all hands that the ability to speak the English language will enable the alien to more readily assimilate with our people. I think that during the five years of residence required of an alien before he can become an American citizen it is not unreasonable to ask that he take advantage of the opportunities afforded to him in this country and at least make sufficient progress toward assimilation as to be able to speak the language of the country whose citizenship he seeks. The statistics show that it will not work a hardship, that there would be a very small percentage who would be left out if this requirement existed, and I am satisfied that even that small percentage would qualify if they knew it was a requirement for citizenship. I can not be answered by citing individual cases. We never are able to legislate for individual cases. We must legislate for that which is for the best good of the greatest number.

Now, Mr. Chairman, I am inclined to think, after the careful consideration I have given this matter for the past three months, that perhaps all the committee hoped to accomplish by the provisions of this section, as originally presented, can be accomplished by the requirement that the applicant shall speak the English language. We are not concerned at this time with the question of suffrage. That matter, under the Constitution, is relegated to the several States. In view of the other provisions of the bill under consideration, which will, I trust and believe, prevent as far as laws can the commission of naturalization frauds, speaking for myself and several other members of the committee, I shall be satisfied to accept the amendment offered by the gentleman from Nebraska [Mr. KENNEDY]. I can not speak for the committee. I am firmly of the opinion that the passage of the bill, and the provisions of the section under discussion, will meet with the earnest approval of all true Americans, whether native born or naturalized. The naturalized American is equally interested with the native born in safeguarding and elevating our citizenship. He has proved it in a thousand ways, and I know we can trust our naturalized citizens to approve whatever measures may be necessary or proper to make of our people what they have ever been in the past—a happy, progressive, and homogeneous people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARDNER of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to extend his remarks for five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the gentleman from Colorado be permitted to proceed for five minutes. Is there objection?

Mr. BONYNGE. No, Mr. Chairman; I will object to that myself. I am desirous of finishing this bill this afternoon. I shall not ask for any further time, but will ask for unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado to extend his remarks in the RECORD? [After a pause.] The Chair hears none.

Mr. DAWSON. Mr. Chairman, I agree with the framers of this bill that it is desirable to enact legislation that will raise the standard of American citizenship, but will it be wise legislation to deprive a deserving man from another country of the rights and privileges of American citizenship because his circumstances and environment may render it impracticable for him to acquire a high state of proficiency in the English language, in addition to his own language.

Let us examine section 9 of this bill a little. It provides:

SEC. 9. That no alien shall hereafter be naturalized or admitted as a citizen of the United States who can not write in his own language or in the English language, and who can not read, speak, and understand the English language.

Under that section an alien might be highly educated in his own tongue and be able to *understand* the English language, and yet he could not become an American citizen. Further than that, he might be a profound scholar in his native language, and be able to *speak* and *understand* English, and yet, if he could not also *read* the English language, he is barred from American citizenship.

In my own State and district there are thousands of Germans—as well as other nationalities—who are proficient in their own language, and they are among the best citizens of our country—loyal, patriotic, hard-working, and thrifty. These same people have contributed largely toward making the city of Davenport, with its 40,000 people and $20,000,000 of bank deposits, the first city of the United States in the per capita amount of money in banks. They are familiar with the best American thought and ideals. They read their own daily and weekly newspapers, which are thoroughly American in everything but the type in which they are printed.

Would it be fair to say to such men: The door of American citizenship shall be closed against you, because, perhaps, your hours are so fully occupied in productive toil that you can not find time to acquire a thorough and complete knowledge of the English language; or because, probably, you have passed the age when it is practicable for you to do so?

If this section is enacted into law as it now stands, would not the result be a discrimination in favor of immigrants from English-speaking countries, and against those from Germany, Norway, Sweden, and other countries?

This section imposes a more severe educational test for naturalization than is imposed by any State in the Union, with possibly two or three exceptions, upon those qualified to vote. But more than that, no standard is fixed as to how proficient he must become in reading, speaking, and understanding the English language. That is left to the will of the judge to whom he applies for naturalization, to be exercised as he sees fit in any case.

If it be wise to impose an educational test for naturalization, let it be so drawn that it will not discriminate against some of our most desirable classes of immigrants. It would be an injustice to fix such a rigid educational test as would exclude from citizenship men who are otherwise in every way worthy and well equipped for its duties. [Loud applause.]

[Mr. BURNETT addressed the committee. See Appendix.]

Mr. BENNET of New York. Mr. Chairman, I desire to be heard in opposition to the amendment offered by the gentleman from Illinois [Mr. WHARTON], and to concur, before starting in, with my colleagues on the committee from Alabama [Mr. BURNETT] and Colorado [Mr. BONYNGE] in advocating, or, at least, consenting to, the amendment offered by the gentleman from Nebraska. Mr. Chairman, I can not at all agree with my colleague from New York in his statement that there is no difference between immigration and naturalization——

Mr. COCKRAN. Mr. Chairman, I hope the gentleman did not misunderstand me.

Mr. BENNET of New York. I had not completed my sentence.

Mr. COCKRAN. Oh——

Mr. BENNET of New York. So far as the requirements are concerned or so far as the basic principles involved in the two are also concerned.

Mr. COCKRAN. I think the gentleman ought to realize what I said was this: That if the similar provision reported in the immigration bill were adopted into law it would apply itself automatically to naturalization; but the first part of my speech was directed to showing that under the law as it stands, if this provision be adopted there will be one qualification for admission to the country and another for naturalization, and the result must be a vast and increasing number of men could not become citizens.

Mr. BENNET of New York. I think the statement I made reiterates in substance the statement which the gentleman made. I regard the two questions as far apart as the questions of opportunity and achievement. I want to say to my colleague from New York that on the immigration question I thoroughly agree with him and have gone so far on that question as to disagree with a majority of the committee which has reported the Gardner immigration bill. I believe in allowing able-bodied, clean-minded aliens to come here whether they can read or write in any language or not, so long as they are willing to undertake their share of the burdens of this country; but naturalization is another question. There was a man out in one of the Western States who recently sent a letter to the President inclosing a two-dollar bill, and he wrote in the letter something like this:

Mr. President, I have recently been naturalized out here—

I think it was in the State of Iowa—

and I have come to the conclusion that it is not worth the price, and to get unnaturalized I send you another $2.

I do not think there is another man in the United States other than that gentleman and my colleague from New York who does not think there is value attached to American citizenship. [Applause.]

I was born an American citizen, and I value in the highest degree every attribute of American citizenship. I would not call it a burden to serve my country under that flag. I do not call any privilege of an American citizen a burden, but we must remember when we extend American citizenship that, as the gentleman truly said, we extend every attribute, privilege, and burden of American citizenship. And what does that mean? It means that a man who becomes an American citizen can, among other things, go abroad and claim at all times the protection of the American flag. There are a thousand men to-day doing business in the city of Jerusalem each one of whom claims to be an American citizen, and not one of whom can speak the English language. In what does that result? It results in the condition where an American citizen under our laws goes to his consul and demands his protection, and has to have the assistance of an interpreter in order to make his wants known to the consul of the Government of which he claims to be a citizen.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENNET of New York. I ask unanimous consent that I may proceed for three minutes longer.

The CHAIRMAN. The gentleman from New York asks unanimous consent that he may proceed for three minutes longer. Is there objection?

There was no objection.

Mr. BENNET of New York. It is perfectly clear, it seems to me, that a man who stays here for five years, who has all the opportunities of mingling with English-speaking people, of reading English-printed books, of assimilating English in every way, and who in five years does not take enough interest in the institutions of the country to learn the English language sufficiently to speak it, ought to remain an alien in fact as he is in mind.

Mr. RUCKER. Is it not true that a great many men come here after passing middle age because they have a son or daughter here—old men, highly respectable, intelligent in their own language, industrious, law-abiding in every sense, and become attached to our institutions and want to become citizens?

Mr. BENNET of New York. I will answer that last year there were 1,026,000 immigrants who came into this country through the ports on steamers. Out of that 1,026,000 there were over 45 years of age—and that is not such extreme old age—only 60,000 men and women. So you will see how few there are. And I will venture the statement that those men and women, if they become attached to the principles of the Constitution of the United States, if they desire to be good citizens and become good citizens, can in five years learn the English language.

Why, Mr. Chairman, in our own city of New York, where there are so many foreign born, it is affecting and touching to see the interest which men of the class such as the gentleman from Missouri [Mr. RUCKER] has called attention to—men who come here over the age of 45—take in learning the English language, learning to speak it, learning to read it, and learning to write it, until, when the time comes and they sign their final applications in the courts, 90 per cent of those men can sign their names. I do not for a moment agree with any man that disparages our foreign-born citizens. They have the energy, they have the honesty, they have the pluck, and they have the intention, and they do learn to read and speak and understand the English language, and any one of them that does not take the interest to at least learn to speak the English language ought to stay a citizen of the country from which he came.

[Here the hammer fell.]

Mr. GARDNER of Massachusetts. I do not think that the committee understands that the amendment of the gentleman from Nebraska [Mr. KENNEDY] provides no reading and writing test at all. The amendment of the gentleman from Illinois [Mr. WHARTON] provides that the reading and writing and speaking test may be made in any language.

I have been somewhat astonished to find members of the committee, when we had not had any committee meeting on the question, advocating the acceptance of the amendment of the gentleman from Nebraska, for if that is accepted, gentlemen, it means that we cut out entirely the qualification which says that a man must read and write before he can be naturalized. If, on the other hand, we accept the amendment of the gentleman from Illinois, we allow the test to be made in any language, and therefore, although we do not require it in English, if we accept his amendment, we require that a man must be educated and must read and write in some language. That is exactly the provision which is in the immigration bill which will be before you in a few days.

I have no objection to the amendment offered by the gentleman from Illinois [Mr. WHARTON], but I have a decided objection to the amendment of the gentleman from Nebraska [Mr. KENNEDY]. I shall not argue the general principles which control this matter. Every man in this House has considered over and over again whether or not a man ought to be able to read and write before he is naturalized. You can all decide that for yourselves. You have all thought of it repeatedly. This is the law in my own State. In Massachusetts a man must read and write before he can vote and before he can be naturalized. Every man here has ideas on this subject; but I want the House to understand that the Committee on Immigration does not accept the amendment of the gentleman from Nebraska, nor any other amendment. If they put in the amendment of the gentleman from Nebraska [Mr. KENNEDY], they vote to cut out all requirements that a man must read and write; if they vote for the amendment of the gentleman from Illinois, they do not cut out the reading and writing requirement, but they say that he must read and write in some language.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 18502) to empower the Secretary of War under certain restrictions to authorize the construction, extension, and maintenance of wharves, piers, and other structures on lands underlying harbors, areas, and navigable streams and bodies of water in or surrounding Porto Rico and the islands adjacent thereto.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 6354. An act to survey and allot the lands embraced within the limits of the Blackfeet Indian Reservation, in the State of Montana, and to open the surplus lands to settlement.

NATURALIZATION BILL.

The committee resumed its session.

Mr. BARTHOLDT. Mr. Chairman——

Mr. BONYNGE. I want to see if we can not fix the time when debate on this amendment shall close.

The CHAIRMAN. The Chair had recognized the gentleman from Missouri.

Mr. BONYNGE. I ask that all debate close at 4 o'clock.

The CHAIRMAN. The Chair had recognized the gentleman from Missouri. Does the gentleman yield?

Mr. BARTHOLDT. I yield for that purpose.

Mr. BONYNGE. How much time does the gentleman himself want?

Mr. BARTHOLDT. About five minutes, and probably an extension.

Mr. BONYNGE. I move that all debate close in fifteen minutes on this paragraph and all amendments thereto.

The CHAIRMAN. The gentleman from Colorado moves that debate on this paragraph and amendments thereto close in fifteen minutes.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Division!

The committee divided; and there were—ayes 84, noes 75.

Mr. CLARK of Missouri. Tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from Missouri [Mr. CLARK] and the gentleman from Colorado [Mr. BONYNGE] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 99, noes 57.

So the motion was agreed to.

Mr. PALMER. Mr. Chairman, that a Presidential campaign is approaching is manifest from the outbreak of impassioned oratory on both sides of this House upon the subject of the tariff, presaging another warfare over that well-worn theme.

It would seem that time and experience ought to have settled some things, and among them the immeasurable value of the doctrine of protection to American industry, wages, and markets through the imposition of tariff duties.

The subject has been under discussion since James Madison reported an act in the First Congress for levying "duties on foreign goods, wares, and merchandise," which its preamble declared to be "for the support of the Government, for the discharge of the debts of the United States, and for the encouragement and protection of manufactures." This enactment was the second recorded on the statute books of the United States. It received the approval of George Washington on the 4th of July, 1789. As the 4th of July, 1776, was the date upon which the little band of patriots assembled at Philadelphia in the name of the people of the English colonies, threw off the tyranny of the British crown, and declared the "colonies were and of right ought to be free and independent," so the 4th of July, 1789, was the auspicious date when industrial independence, not only of Great Britain, but of all the world was declared, and the foundations were laid for the system that has at least helped to set the United States in the front rank of all the great manufacturing nations.

Observe the purpose of the first tariff act as declared by the act itself. It was to "encourage and protect manufactures" by levying "duties on foreign goods, wares, and merchandise." The patriots who assembled in the First Congress, who had laid the foundations of the Republic broad and strong, believed in the policy of protection. They believed in the "enlightened selfishness" that would secure to workmen on this side of the Atlantic the privilege of employing their labor in the manufacture of all articles needed for domestic consumption. They believed in keeping for the merchants and manufacturers of the United States the opportunity to sell the merchandise and manufactured articles made by these workingmen in the home market. They believed in taking care of their own and in fulfilling the scripture, that "he who provideth not for his own, especially for those of his own household, hath denied the faith, and is worse than an infidel."

The results of the first and of all subsequent tariff acts passed for the purpose of protecting home workmen and home markets have fully justified the belief of the members of the first Congress and of the immortal Washington, who added to the first law the luster of his name.

The doctrine and practice of protection have helped to make the United States the Eldorado of the nations. In point of material wealth it is the richest of all; in education, intelligence, morality, second to none. No people in all the world are so well clothed, housed, fed, and cared for as the people of the United States. While the millennium has not dawned and there are still advances to be made and fields to conquer, the dweller in this favored land may rightfully claim that his country leads the stately procession of the nations in all that pertains to conditions that make life worth living. He who fails to gather from a century of experience in tariffs for revenue only and for protection the lesson of the immense superiority of the one over the other reads history with little discrimination or desire for knowledge.

Many times the doctrinaires, "students of maxims and not of markets," have succeeded in imposing their views upon the people, and many times in our history disaster has overtaken our enterprises.

Now, after a period of prosperity unexampled in this or any other country, the demand is again made that the doctrine of protection be abandoned and a tariff for revenue only substituted in its place. In the face of all the ruinous experience of a hundred years the people are asked to try it again.

The reasons put forward in support of the demand for change are:

1. The tariff is an unconstitutional scheme of plunder calculated to tempt a few at the expense of many.

2. It is the promoter and protector of the trusts, which enable a few men to accumulate immense fortunes at the expense of the many; strangles individual effort and reduces the workingman to a kind of industrial slavery.

The change demanded is the enactment of a tariff for revenue only, which, it is declared, is the only lawful and just tariff, one which will bring the largest revenue from the lowest rate of duty. No higher rate than the lowest possible rate should be imposed.

The first reason, viz, that a protective-tariff law is unconstitutional, is merely a rhetorical flourish. The Supreme Court of the United States finds a tariff laid, not for revenue but for protection, within the power of Congress under the Constitution, which is an end of the contention.

If a protective tariff is a scheme of plunder, it must plunder somebody. Who, then, is plundered by the tariff? Not the wageworker, who finds steady work and the highest wages in the manufacture of the articles needed in the daily life and business of the people. Not the manufacturer, who is shielded from foreign competition in his home market. Not the farmer, who finds ready market at his door at remunerative prices for all he can raise to those who toil in gainful occupations, and who have wages sufficient to enable them to purchase all the necessities and some of the luxuries of life. Not the salaried employees, because their very employment depends on the general prosperity which always attends high wages and plenty of work. Not the teachers, whose schools must close in hard times, when business is dull, wages low, and work scarce.

Perhaps the idle rich, who "toil not, neither do they spin," may pay more money to live than they would under a tariff for revenue only, but they are not complaining, and if they were, the complaint would not be heeded.

Those who may reasonably complain of the American protective tariff are the foreign workmen, who have less work than they would have if they could make for American markets; the foreign manufacturer, who hates the American tariff with a holy hatred; the importer of foreign goods, whose opportunity is circumscribed and business injured.

In 1902 I chanced to travel from Amsterdam to Berlin. The day was hot and the way long, which was an excuse for listening to a most vehement and eloquent denunciation of the American tariff by a fellow-traveler. He demonstrated to his own satisfaction that it would ruin America and that very shortly.

Toward the end of the day it occurred to me to ask the business of the enemy of the tariff and friend of the United States. He turned out to be an agent for a cloth house in Manchester, England, on his way to Roumania to establish a trade in cloth for that his house had lost in the United States by reason of the robber tariff.

These are the classes who do and who do not complain of a protective tariff.

The second reason—that the tariff is a promoter of the trusts—would be more convincing if it were not true that the combinations of capital called "trusts" originated in other countries and are most numerous in England, which is the last free-trade stronghold in the world, and that the most complained of and apparently obnoxious of all the trusts, viz, the Standard Oil Company, deals exclusively in an article which is free of duty. Both facts demonstrate the claim that the trusts exist independent of tariffs and are in no way dependent upon them.

Diminution of the tariff duties to a revenue basis would have no other influence on the trusts than to strengthen them by ruining their small competitors, individual and others, because in times of disaster the weakest must go down first.

The third reason that a tariff for revenue only is the only lawful, logical, and just tariff remains to be considered. In its favor it is argued that the smallest tariff plus the ocean freight would afford incidental protection equal to the difference in wages, which would be sufficient for all useful purposes.

Of course, if any duty at all were collected, it could be only on noncompetitive articles upon which no duty is now paid, and which would add to the price paid by the consumer, or on competitive articles now practically excluded by higher duties. Just to the extent that articles now excluded were allowed to come in under lower duties the home market would be surrendered to the foreigner, and the home workman and manufacturer would be deprived of the opportunity to make and sell the quantity of goods imported. Any duty higher than the lowest sum that would give the largest return would violate the principle of a duty for revenue only and become protective. If a protective tariff is an unconstitutional scheme to rob, then whether the duty protects little or much could make no difference with the principle. A little protection would be a little robbery if a great protection would be a great robbery. If a protective-tariff law is unconstitutional, the amount of the protection could not make the law more or less a violation of the Constitution.

Therefore a tariff for revenue only differs in no respect from free trade, so far as its effects on home interests are concerned. Make the duty low enough to encourage large importations, to the end that the most revenue will result, and the mischief would be practically as great as though no duty at all were exacted, because every yard of imported cloth or ton of imported steel costs the workman of this country the number of days' work that it took to make them.

One of two results would inevitably follow the enactment of a revenue tariff. Either wages would go to the European standard, or the goods consumed in this country would be made abroad and the immense sums distributed for wages annually would go to foreign workmen. It is not pleasant to contemplate the consequences of such a situation. I do not believe that any advocate of a tariff for revenue only can be found who will admit that he wishes to deprive American workmen of their work or wages; yet no other result could follow if the law proposed

proved at all efficient as a raiser of income. Either the law would fail to raise revenue or, if it succeeded as a revenue raiser, it would be at the cost of American workmen. The theory that a tariff for revenue only would bring down the price of manufactured articles so that workmen could afford to work for less wages is fallacious. Just as soon as foreign manufacturers obtained possession of our markets and succeeded in closing our mills and factories the prices would be at their command, and, being human, it is safe to assume that prices would not grow less.

The effect of the present highly protective tariff is to practically prohibit the importation of manufactured goods which can be produced in this country in quantities sufficient to supply the wants of the people; at least that may be assumed to be the intention. The only valid objection that can be raised to the principle of protection is that a combination of manufacturers may cease to compete and exact too great a price. Indeed one of the conditions upon which a protective tariff is allowable is that competition will keep the prices down to a reasonable figure. If such combinations exist, they are in violation of the statute of the United States known as the "Sherman antitrust law," and violators are subject to severe punishment, provided by the law. Since the passage of that act existing monopolies have gone out of existence, either voluntarily or under pressure of prosecutions. The prices of manufactured articles in this country are not excessive if the rate of wages and cost of production are considered. That there are some remaining abuses none can doubt. "Justice travels with a leaden heel, but strikes with an iron hand." But the time is at hand when the last of this particular brand of lawbreakers will either go out of the business or behind the bars. Public sentiment is greatly excited on the subject, and it is not safe to trifle with an aroused public. Congress has armed the Department of Justice with sufficient law and sufficient munitions of war to bring all offenders to justice, and they are coming down like Crockett's coon, many of them without being fired at.

The vital burning question soon to be decided is, Shall present conditions continue; shall we endure the ills we have or "fly to others that we know not of?"

Before embarking on the experiment of changing the plan upon which the business of the country has been carried on since 1861, no doubt the people of the United States will undertake an examination of existing conditions for the purpose of ascertaining whether on the whole the system has produced satisfactory results. If the fact is established that the country and the people are growing poorer, that business enterprises are becoming less remunerative, that wages are less and work more difficult to get, that the army of unemployed is growing larger, then a speedy change will be desirable, the sooner the better.

In December of the year 1892 Benjamin Harrison, then President of the United States, sent a message to Congress, in which in figures which have never been disputed he proved that between the years 1860 and 1892, under a high protective tariff system, the wealth of the country had increased 287 per cent, the mileage of railways 448 per cent, and the average wages of labor per capita 41.71 per cent. Depositors in savings banks had increased 513 per cent, and the amount deposited 921 per cent. All of which justified him in saying that—

> There has never been a time in our history when work was so abundant or when wages were so high whether measured by the currency in which they are paid or by their power to supply the necessaries and comforts of life.

The President accounted for this wonderful and unexampled prosperity. He said:

> I believe that the protective system, which has now for something more than thirty years prevailed in our legislation, has been a mighty instrument for the development of our national wealth and a powerful agency in protecting the homes of our workmen from the invasion of want.

This message was written after Mr. Cleveland had been elected to succeed President Harrison. Upon this subject the message spoke of a protective tariff:

> The result of the recent election must be accepted as having introduced a new policy. We must assume that the present tariff, constructed upon lines of protection, is to be repealed, and there is to be substituted for it a tariff law constructed solely with reference to revenue; that no duty is to be higher because the increase will keep open an American mill or keep up the wages of an American workman, but that in every case such a rate of duty is to be imposed as will bring to the Treasury of the United States the larger returns of revenue. The contention has not been between schedules, but between principles, and it would be offensive to suggest that the prevailing party will not carry into legislation the principles advocated by it and the pledges given to the people.

The prevailing party did attempt to carry into legislation the principles advocated by it.

The subject of tariff revision, in accordance with Mr. Cleveland's views, was taken up at an extra session of the Fifty-third Congress, and what is known in history as the "Wilson-Gorman tariff bill" was passed. It was based upon the idea that revenue and not protection should be the object of tariff legislation.

Probably no measure ever enacted by Congress carried such general destruction to the industries of the country. The bill was not altogether a bill "for revenue only," but wherever it undertook incidentally to protect, the protection was inadequate, and therefore useless. It deserved the name given it by President Cleveland, who called it an act of perfidy and refused to give it the sanction of his signature.

Under this tariff immense stocks of foreign goods were forced on the market, displacing goods of American manufacture. Prices fell, factories closed, and an army of men, estimated at 3,000,000 in number, were thrown out of employment. Financial institutions closed their doors, cutting off the opportunity on the part of business men to borrow money; failures in business were so common as not to excite comment. Railroads went into the hands of receivers, more suspensions and more failures occurred from week to week, until it seemed as though the financial basis of support had given way, and that the whole country would be involved in irretrievable ruin.

Mistaken statesmen seized upon the distressful condition of the country to put forward the most seductive and dangerous financial theories. It was proposed to open the United States mint for the free and unlimited coinage of silver, foreign and domestic, at the ratio of 16 to 1, without reference to its intrinsic value. The inevitable result would have been to pour out upon the country an enormous amount of depreciated currency, worth not more than 50 cents on the dollar, with which the debtors could discharge their debts, and with which speculators could rob in a market in which prices would advance by leaps and bounds, only to go down with a crash that would have bankrupted the most conservative.

Nothing but the sterling sense of the American common people stood in the way of indescribable ruin. That sense did not fail. The "Boy Orator of the Platte" was laid low, and McKinley, who, as chairman of the Ways and Means Committee, had prepared and passed the bill that bore his name, under which the wonderful prosperity achieved under the Administration of President Harrison had been made possible, was elected President. Sanity prevailed, and the verdict of 1892 was reversed.

The news of his election was not a day old before confidence began to return. Without waiting for what they knew must come to pass the manufacturers and business men took hope. A special session of Congress was called to meet on the 15th day of March, 1897. The disastrous Wilson bill was repealed, and the McKinley bill, remodeled and made more thoroughly protective by Nelson Dingley and a Republican House, became a law. It has remained upon the statute books substantially as passed until the present time, the extra war tax imposed to pay the expense of the war with Spain having been repealed.

Under this and other protective acts passed since 1861 the country has reached a prosperity far in excess of that portrayed by President Harrison. Prosperity in "good measure, pressed down, shaken together, and running over" came to the country under the Dingley bill. Let the marvelous figures tell the story:

From available sources of information prepared by the Bureau of Statistics of the United States under the direction of the Secretary of Commerce and Labor facts of interest and importance may be obtained which will shed great light upon the inquiry.

First, as to population. A poor country where work is scarce, times hard, and wages low never attracts people from other countries and is not apt to increase its population rapidly by natural causes.

In 1861 our population numbered 32,064,000. Since that time the increase has been enormous and without precedent in history. We numbered last year 83,143,000. Of these, 16,385,974 came from every country in Europe to better their condition and to share in the heritage of freedom. More than a million came last year, which is proof that in other countries the belief prevails that our country is still the haven in which the hungry may find food and the oppressed shelter. I know that a strong opinion is entertained by some very good men that immigration should be restricted, and that our doors should be closed lest our own people suffer. So far as excluding the anarchists, the criminal, the pauper, the dependent, and diseased, the opinion should prevail, but to the industrious and self-supporting immigrants who come here to make homes, to take up an allegiance to the Government of the United States and help to build up the great Republic I would not close the door of opportunity. We have but 25 persons to the square mile. When we approach Denmark, with 400 to the square mile, it may be necessary to

consider total exclusion. The deputy commissioner of immigration at New York, a representative of labor, appointed because he was a fit man and because it was supposed he might be relied upon to enforce the immigration laws, is of opinion that every healthy and able-bodied immigrant is worth $1,000 to the country. If he is correct we gained near a thousand million of dollars from that source last year.

A great population would not be an advantage to a country if it was an idle population. Idleness and poverty are twins.

Our people are industrious. In 1880 we had 253,852 industrial establishments. They employed a capital of $2,790,272,606. They paid annually in wages $947,953,795. They employed 2,732,595 toilers and produced manufactured articles worth $5,369,579,191. Ten years later, in 1900, the number of establishments had almost doubled. They numbered 512,191, with a capital nearly quadrupled, being $9,813,824,380, paying more than twice the wages, viz, $2,320,938,168, to nearly twice the number of employees, namely, 5,306,143, and producing the enormous sum of $13,000,149,159 worth of manufactured goods, more than double the amount produced ten years before.

In 1861 the total number of miles of railroads in the United States was 31,286. In 1904 it was 212,349 miles, which is a little more than the sum of all the miles of European roads. Upon these national thoroughfares passengers and freight are carried more cheaply than in any other country in the world. Since 1892 the average rate per ton per mile for freight has been reduced from 0.94 of a cent to 0.78 of a cent. A poor country does not build railroads or reduce freight rates. The railroads are the pioneers of industrial development, as necessary to progress as labor or capital, and their prosperity is a true index of good times. The people may properly object to the methods of some of their managers, but they can not do business without them.

A great people doing a great business must have capital. Our capital increased from $13.98 per capita in 1861 to $31.08 in 1905. Every dollar of it is as good as any other dollar, and all are as good as any dollar in the world, whether represented by gold or silver, coin or Treasury notes, national-bank notes, or any other kind of notes with backs green or yellow—all are honest money, as good as gold.

Another sure testimony of prosperity and growth may be found in the business of the Post-Office Department, which disseminates information to the people. An ignorant, nonreading, and unprogressive people have no use for mails. In 1879 the revenue of the Post-Office Department amounted to $30,041,983 Last year, 1905, it reached the enormous total of $152,826,485, but this did not cover the cost of carrying on the business—that was $167,397,169.

If the factories have marvelously multiplied in number, production, and wealth, the farms, which are the foundation of all enterprise, the essential factors without which no wheel can turn, because men who work must eat, have not lagged in the rear of development. In 1866 they raised 867,946,295 bushels of corn, worth $411,450,830; but in 1905 the crop swelled to 2,707,930,540 bushels, worth $1,116,696,738. In 1866 they grew 151,999,906 bushels of wheat, valued at $232,109,630. Last year the bushels of that golden grain had multiplied to 692,979,489, worth in the market $518,372,727.

This is not the whole story. It can all be summed up in the fact that between 1860 and 1900 the value of the farm land, implements, and farm property had increased from $7,789,493,063 to $20,439,901,164.

Out of our abundance we sold farm products abroad in 1861 amounting to $149,492,626, but in 1905 the prolific soil yielded for foreign markets agricultural products worth $820,863,405.

Thrifty people pay their debts as rapidly as possible. Tested by this standard, the United States will not fail. In 1861 the debt per capita was $2.74. Owing to circumstances over which they had temporarily no control, the debt increased to $76.98 per capita by 1875. Last year the gratifying fact appeared that the public debt had been divided by six, leaving the per capita $11.91.

The true test of the prosperity of a nation is to be found in the value of its production in excess of its consumption. If a people ate up and wore out during the year all they had made or raised they would be no richer at the end than at the beginning. Furthermore, if they buy more than they sell, bankruptcy is only a question of time. In 1861, when the protective system was inaugurated which has been preserved since that time, we exported goods and farm products worth $219,553,833; but in the same year we purchased and imported foreign goods worth $289,310,542, and thus fell behind $60,756,709. Last year the total exports were $1,518,561,666, the imports $1,117,513,071, leaving a balance of trade in our favor of $401,048,595.

Quoting from the great speech of Hon. JOHN DALZELL:

> During the last seven years of Republican administration that had passed when the Chicago convention met (1904), the balance of trade in our favor was nearly ten times as great as the aggregate balances of trade during all the years from Washington to McKinley.

But if the people do not save, if they spend their gains in riotous living or unecessary luxury, their condition is not essentially better than that of those who sit in adversity. The savings banks of the United States, which are the banks of the plain people, showed deposits last year amounting to $3,093,077,357, belonging to 7,696,229 depositors. The average per capita was $423.74. This is the largest deposit and the greatest per capita ever achieved; it spells prosperity, full and abundant.

Lest it be said that the greater good is not to be found in the pursuit of mere national wealth, however successful, and that a nation may be populous and prosperous and rich, and at the same time sordid, groveling, and base, I turn with pride and pleasure to the fact that in 1904 an army of children, 16,256,638 strong, marched to the sound of the morning bell to the people's colleges, the public schools, where they acquired the beginning of education at the public expense, which amounted to $273,216,227. At the same time 7,392 students were fitting themselves in theological seminaries to preach the everlasting Gospel; 14,306 others were pursuing the ennobling study of the law; 23,778 others were in the medical schools and colleges fitting themselves to alleviate the suffering of the sick; 51,535 were fitting themselves in the normal schools for the honorable occupation of teachers, while 142,453 others were pursuing the pleasant path of knowledge in colleges and universities.

It is a record of which every American citizen has a right to be proud; it is proof that our people have not lost faith in the saving grace of religion or the ennobling influence of education.

The simple question, easily understood by the most unlettered laborer in the land, now is, Shall we go back to a tariff for revenue only; shall we again go through a period of idleness, depression, and starvation; or shall we stand by the doctrine of protection to American labor and American industry, which assures work and wages to our working men and women and prosperity for all our people?

Place power in the hands of the Democratic party, led as it is, and "the things that have been it is that which shall be," unless our Democratic friends, who now ask to take charge of our Government, write our laws, and dictate our policies, "have learned wisdom and acquired knowledge, and repented them of the evil." How do they stand upon the great, vital question of protection and free trade? We have a right to look at the utterances of their leaders and the declarations of their platforms for an answer. One of the great men of the Democratic party in the House of Representatives is Hon. CHAMP CLARK, Member of Congress from Missouri. He was chairman of the Democratic convention at St. Louis; he was charged with the duty of conveying to Judge Parker the news of his nomination; he is a prominent and frequent expounder of Democratic doctrine on the floor of the House. His opinions are therefore authentic and entitled to respect. In discussing the Dingley bill, he said:

> I repeat, that all may hear, that I am a free trader, and proudly take my stand with Sir Robert Peel, Richard Cobden, and Henry George. I may be a humble member of that illustrious company, but it is better to be a doorkeeper in the house of honest free traders than to dwell in the tents of wicked protectionists. I would destroy every custom-house in America. If I had my way to-day, sir, I would tear them all down from turret to foundation stone, for from the beginning they have been nothing but a den of robbers.

If any rise to suggest that he does not speak with authority, then listen to Hon. BOURKE COCKRAN, who was applauded to the echo when he said, in the House of Representatives on the 23d day of April, 1904:

> There never was a speech, there never was an appearance, there never was a performance that illustrated more clearly how directly every vicious perversion of government can be traced to the foundation of all corruption—the protective tariff, which has demoralized our whole political system.

If anyone still inclines to the belief that he spoke only his own sentiments and not those of his party, let him mark the language of the Hon. JOHN SHARP WILLIAMS, the Democratic floor leader in the House, temporary chairman of the convention at St. Louis, author of the platform which was adopted and of the gold plank which was not:

> In this country, owing to the decision of the Supreme Court in the income-tax case, founded on the provision of the Constitution of the United States about direct taxes, the goal can not be, as it was in Great Britain, free trade. Tariff for revenue to carry on a government economically and effectively administered becomes the American tariff reformer's goal.

If still in doubt as to what the Democratic party believes on this interesting subject, surely we may go to their platform of

principles, put forth by the authority of their national convention in July, 1904:

We denounce protection as robbery of the many to enrich the few. We favor a revision and gradual reduction of the tariff.

Therefore we may be sure that no change has taken place in the beliefs of the Democratic party upon this subject since 1893. In fact, no change has taken place in the beliefs of the Democratic party since the appalling days of human slavery—since the human chattel by his unrequited toil produced for export the only crop raised in the South, supporting his master in idleness, leaving him abundant times to curse protection that added to the price of the goods in which he took his pay, and at the same time built up the free labor and added to the wealth and power of the North. Experience has taught them nothing; adversity, low wages, silent factories, starving men have taught them nothing.

Can the Ethiopian change his skin or the leopard his spots? Then may ye also do good that are accustomed to do evil.

Not until the leaders of the Democratic party are cradled north of Mason and Dixon's line will any change occur in their tariff views.

What, then, may we reasonably expect if the Democratic party should again control the Government, assuming that the declarations of their leaders and the assertions of their platform are in earnest and honest? Certainly they ought to make an effort to save the people from what they call the evils that they assert inhere in the protective system. Protection is robbery and protectionists are robbers, says the platform. Surely, if they have their way, the robbery will be stopped and the robbers deprived of their means of robbing the people. If active measures are not taken to stop the robbery and protect the robbed, what can be gained by changing rulers? If active measures are taken, then people will be called upon to face again such dreadful times as prevailed between 1893 and 1897. There is no room for doubt about that.

If the time shall ever come when a change is desirable in the policy of this country with respect to the doctrine of protection, certainly it is not now. Of all the great nations, England is the only free-trade country left. France, Germany, Austria, Russia are all protectionist countries. Free trade has well-nigh ruined England. Her farmers, mechanics, laboring men, and manufacturers are crying for fair trade. They point to the fact that all other countries protect their home markets and secure them for their own manufactures, while England is a dumping ground for surplus product, which is furnished at a price that renders competition impossible. Her statesmen are taking action. Chamberlain, ex-prime minister, and Balfour, prime minister, in public speeches from London to Glasgow, have advocated a change in the fiscal policy of Great Britain as essential to save the remnant of her colonial trade and keep her home markets from being absolutely occupied by American and German manufactured goods.

They demonstrate that the doctrine of free trade has cost England her commercial leadership, and that her commerce and industries have fallen on evil times.

Mr. Chamberlain said at Glasgow:

It is not well with British trade. After a long period of success, the policy of unrestricted free imports has now shown evident signs of failure. Our exports are stationary in amount and declining in character. We receive from our competitors a large proportion of manufactured goods, and we send them a larger proportion of raw materials than we used to do. Our supremacy in what have always been considered our standard industries has been wrested from us, or is seriously menaced. One by one markets once profitable and expanding are closed to us by hostile tariffs. We have lost all power of bargaining successfully for the removal or reduction of these barriers to our trade.

Mr. Balfour said:

The most advanced of our commercial rivals are not only protectionists now, but in varying measure are going to remain so. Other nations have in their policies accepted the principle of free trade; none have consistently adhered to it. Irrespective of race polity and material circumstances, every other physically dependent community whose civilization is of the western type has deliberately embraced, in theory if not in practice, the protectionist system.

In the face of our own recent experience from 1893 to 1897, and of the unmistaken drift of events in other countries, the proposition to change our fiscal policy and substitute a tariff for revenue without protection, and thereby open our markets to the production of foreign mills and looms, with the consequent loss by our own people of opportunity to labor and earn bread, can not be entertained. Those who would do it must take the thirty millions of people in this country who are engaged in gainful occupations, earning living wages, to be lacking in ordinary common sense, or they would never have the hardihood to propose such folly. We seek no change, and least of all such change as they would bring us.

The Republican party renews its allegiance to the doctrine of protection. It is the bulwark of our industrial independence and the sure foundation of the prosperity of our people. A tariff for revenue is substantially, for all practical purposes, no better for the people than free trade. A protective tariff must adequately protect, or it is useless. Adequate protection keeps foreign goods out of our markets and gives the work of manufacturing and the consequent wages of labor to our own workers, and not to those of foreign countries. If the Republican party is retained in power the protective tariff will be assured.

Failing to convince the people that the doctrine of protection is unsound or to overthrow it by direct assault, the advocates of a tariff for revenue contrive by divers indirect means to destroy it. Among the insidious charges is one that the tariff allows goods to be sold by American manufacturers in foreign markets cheaper than at home. From this alleged fact the argument is adduced that if goods can be sold cheaper abroad than at home, then the price charged at home is extortionate, and that is made possible by the protective tariff, which shuts out foreign competition. As a punishment and preventive it is proposed to take the tariff off goods of this kind in order to let in foreign competition, which would destroy the business, and with it the opportunity to sell abroad.

First. Let the facts be ascertained. According to the census of 1900, the total value of goods manufactured in the United States that year was $13,039,299,566. The value of the manufactured goods exported was $433,851,756, which is about 3 per cent. Ninety-seven per cent of all the enormous production, valued at $13,000,000,000, was consumed at home. The small percentage of goods sold abroad would cut no figure if they were given away. But they are not given away. A careful investigation made by the Industrial Commission, a nonpartisan body, proved that more than 90 per cent of the total amount of goods sold abroad are sold for prices as high or higher than those received in the United States. About 10 per cent is all that is sold for cost or less.

To illustrate: Of every $100 worth of goods produced in the United States we consume $97 at home; of the $3 worth sold abroad, 90 per cent, or $2.70 worth, is sold for the price charged here, 30 cents' worth are sold for cost or less. Thus, out of every $100 worth of goods made we sell $99.70 at the same price at home and abroad and sell 30 cents' worth abroad at cost or less. In any event, it is not a killing matter, and has no effect on home prices; but no man sells his property at a loss without a reason. American manufacturers are not in the charity business if they can help it. What, then, is the reason for selling even 3 per cent of our manufactured goods abroad at less than cost? Simply a business reason. Overproduction, no sale at home, choice between shutting down factories, putting men out of employment, and disposing of goods in a foreign market at cost or below. That is a sufficient reason. It is not a question of tariff. The tariff has nothing to do with it. It is a matter of business policy, pursued by business men in this and all other countries.

Another indirect assault on the doctrine of protection is made by an appeal to the popular hatred of the trusts.

After indiscriminately and picturesquely denouncing all combinations of capital, classifying them under the general denomination of trusts, a remedy for the trust evil is proposed. It is to admit free of duty all goods the like of which are made in this country by trusts, and thus destroy them by competition.

Practically all the kind of goods manufactured in this country are now made in whole or in part by combinations called trusts. The remedy proposed would therefore admit free of duty all kinds of manufactured goods. There can be no doubt that the end proposed would be reached. Goods made by the pauper labor of Europe would certainly undersell and take the place of those made by the paid labor of the United States.

The trusts would be killed, but all men and women who work for wages would be mourners at the funeral. Before the big combinations went down under the avalanche of foreign importations the small concerns, owned and operated by individuals, which manufacture 87 per cent of the whole amount, would succumb. The conditions would permit all working men and women to join in the obsequies over dead trusts, and also all business men, manufacturers, employers of labor, agriculturists, all could consistently lift up a voice of lamentation over ruined industries, impoverished business, and universal ruin.

The country has been through similar experiences not less than four different times in her history, when under mistaken fiscal policies our markets have been surrendered to foreign competition.

The Republican party stands upon its record. It is without a parallel in the civilized world. A great rebellion suppressed;

a Union reconstructed; slavery abolished; credit restored; debt paid; industry revived; prosperity assured; population trebled; wealth sextupled; our flag honored throughout the earth. Our very name has become a synonym for national patriotism and devotion to liberty.

The mission of this grand party will be ended "when every man within our borders may dwell securely in a happy home, and cast and have counted his equal vote." Until these things are accomplished our warfare with our ancient adversary will not end. [Prolonged applause.]

[Mr. BARTHOLDT addressed the committee. See Appendix.]

Mr. BURGESS. Mr. Chairman, this is a matter of very considerable importance. In my judgment, any action we take one way or the other will be far-reaching in its effect, more so than many gentlemen seem to think. I think we have been getting along nicely with our naturalization laws. I think to put a limitation upon the right to become an American citizen, of those who live here now, requiring them to read and write the English language, is a mistake. Section 9 of this bill says:

That no alien shall hereafter be naturalized or admitted as a citizen of the United States who can not write in his own language or in the English language, and who can not read, speak, and understand the English language.

This is unfair and unwise. We want all honest, industrious people of the white races here who care to come, and when here we should not require more knowledge of them than 80 per cent of our native-born people possess in order that they may become citizens.

I believe we can not base American citizenship upon the degree of knowledge that men possess, but it must be based upon character and courage, as it always has been, on the field in time of war, and at home in time of peace, in all our past history. I am willing to join with those who would exclude criminals and anarchists, who would draw the circle of moral character about all those who enter here; but when once you admit them, I do not believe it is wise to say that, no matter how honest they may be, no matter how industrious they may be, no matter how devoted they may become to the flag, no matter how well they may understand American institutions through the papers they read, printed in their own language, in German, Bohemian, French, Italian, and all the different languages; no matter what their worth as men may be, they can not become American citizens unless they learn to read and write the English language. I believe that is a great mistake. I believe we ought not to commit ourselves to such a precedent. I believe it would be a slap in the face of many of the very best citizens that we have in the country to-day.

I do not know about these people in the Northwest, who came from Europe to build up the great country to which they have immigrated. I have not lived in the Northwest, but I know from those who have lived there and from the history of the country that they must have been an honest, industrious, and God-fearing people, worthy of all the privileges of American citizenship. I do know something, however, of the two great peoples—the German and the Bohemian. South Texas is full of them, and I would to God there were more such scattered all over her fair domain. Wherever you go you will find them devoted to obedience to law, devoted to order, industrious and honest. You will go in many communities where you will find those who can not speak perhaps twenty words of English, but they know the duties that they owe to the country and they discharge them with fidelity. You will find many who want to bring their relatives over from the old country to live here, and to say to those people that they can not obtain the right of American citizenship unless they can read, write, and speak the English language is not giving them a square deal in the matter. I agree thoroughly with the views expressed in this line both by the gentleman from New York [Mr. COCKRAN] and by the gentleman from Missouri [Mr. BARTHOLDT]. When we get down to it, what is the need of this? Whatever objection there may be to the presence here of certain classes is a question to be remedied by the immigration laws, but we are now discussing the naturalization of those who are here as well as those who may be admitted hereafter. If those who seek our shores are of a race we are willing to intermarry with and are honest and industrious, let them in, no matter what tongue they speak; and if, after being a reasonable time among us, they desire to declare allegiance to our Republic, upon proof of good character and devotion to free government, let them swear allegiance to our flag and take up the burdens and receive the benefits of American citizenship, no matter whether they read and write the English or any other language or not. Whatever troubles have come to us by immigration, none of them have rested on ignorance of English, but on vice, want of character, and an aversion both to work and to obey the law. I see no good reason to abandon the policy in this respect we have pursued from the beginning of our Government, and hence I shall oppose the adoption of what appears to me as a revival of knownothingism. [Applause.]

Mr. POLLARD. Mr. Chairman, I have an amendment here that I should like to send to the Clerk's desk and have it read, and I should like one minute in which to explain it.

The CHAIRMAN. If there be no objection, the amendment will be read in the time of the gentleman from Nebraska for the information of the House.

The Clerk read as follows:

On page 9, in line 22, amend by inserting the words "read and" after the word "not;" and strike out the word "read" in line 24; so that section 9, down to the proviso in line 24, will read: "That no alien shall hereafter be naturalized or admitted as a citizen of the United States who can not read and write in his own language or in the English language, and who can not speak and understand the English language."

Mr. BARTHOLDT. Mr. Chairman, I would ask if there is an amendment pending?

The CHAIRMAN. The amendment just read has not been offered. It is read merely for the information of the House.

Mr. BARTHOLDT. I want to know whether there is an amendment pending to strike out the whole section.

The CHAIRMAN. No; but the Chair understands that such an amendment will be offered later on, when it is in order.

Mr. POLLARD. Mr. Chairman, I have presented my amendment as a sort of compromise, and it seems to me that it meets the exigencies of the case and will solve the difficulties that are before us. The bill as it now stands makes it necessary for the alien to be able to write his own tongue and the English language, and to be able to read and understand the English language before he can become naturalized. The amendment of my colleague from Nebraska makes it necessary for the alien to be able to speak the English language only before he can become naturalized. The amendment offered by the gentleman from Illinois [Mr. WHARTON] makes it necessary for the alien to be able to read and write his own language or the English language before he can become naturalized, and nothing more. My amendment goes further than the amendment offered by the gentleman from Illinois.

Mr. WHARTON. Mr. Chairman, will the gentleman yield for a question?

Mr. POLLARD. Oh, Mr. Chairman, I have only a minute, and I do not care to be interrupted. My amendment not only provides that the alien must read his own language, but he must also be able to read and write his own language or the English language, and then he must be able to speak and understand the English language. I believe those are conditions that will not prove a hardship. I do not believe they are unreasonable or that they are conditions that any alien ought not to willingly subscribe to in order to become a citizen of this great Republic. If my amendment is adopted, it simply makes it necessary for an alien to be able to either read and write his own or the English language and be able to speak and understand the English language. This certainly is not a severe test for citizenship. I do not believe there is to exceed 2 per cent of the aliens who are from those countries from which desirable immigrants come, and those that make desirable citizens, that can not easily fulfill this requirement. It is the illiterate, riot-precipitating class that should be excluded from citizenship under any and all circumstances. If my amendment is written into law it will not deny citizenship to the great mass of aliens, such as the German, the Frenchman, the Swede, the Norwegian, or the Irishman. It is from these countries that men come who make our very best citizens. I believe we should raise our standard of citizenship in this country. It means something to be a citizen of the United States. I do not believe it should be extended promiscuously and without limitations. Citizenship under Old Glory is the most exalted privilege and the most cherished duty known to mankind. I believe the time has come when reasonable restrictions should be imposed, and I sincerely hope my amendment will prevail.

Mr. FULLER. Mr. Chairman, I do not care to make any extended remarks or occupy any time in discussing this amendment or the bill now under consideration. As a general proposition I do not believe that very much fault need be found with our naturalization laws as they now exist, if they are properly enforced and if the courts perform their duties thereunder in accordance with the spirit and intent of the law. However, if this bill will, as some claim, serve to raise the standard of American citizenship, then I am in favor of its passage. If the proposed amendments will encourage foreigners who come here intending to remain to learn our language and become educated in it, then I am in favor of the amendment.

What I desire, however, at this time to address the Committee of the Whole House upon, very briefly, is an entirely different question, and relates to a different bill. I choose this time to do so, because I do not know that any other time will be available for that purpose. I refer to the rate bill and the so-called "antipass amendment," which has been proposed thereto. I have received very many letters and telegrams from railroad employees protesting against that portion of the proposed amendment which is intended to prohibit the railroad companies from granting passes or any kind of free transportation to employees or to the families of such employees. I am unable to understand why, Mr. Chairman, any such legislation should be enacted. I can not conceive whose business it is, or whom it could possibly harm, for the railroad companies to grant free transportation, if they choose to do so, to their own employees and to the families of such employees. I can see no harm in the practice that has heretofore prevailed in that respect, and I think I can see much of good. In my opinion no other one thing so conduces to the faithful and long continued service of railroad employees as the granting to them of free transportation by the employing companies. If no wrong is done, if no one suffers any injury therefrom, then what right has Congress to interfere to prevent the practice? I aver that under the Constitution of the United States we have no power to prohibit anything which injures no one, which by no possibility could injure anyone, and in which the public has no possible concern. I think Congress might say that no railroad corporation doing an interstate business should grant free transportation to any Member of Congress or to any Government official; that would be a question of public policy, and such legislation might well be enacted. I would vote for it without hesitation, because I believe that a public official should be under personal obligations to no corporation which depends for favors and franchises upon legislation or upon any other official act. In other words, that an employee of the Government should serve it alone, and under no circumstances have two masters. That is one thing, but, in my judgment, free transportation granted by a railroad company to its employees is quite another thing; it is part of the compensation of the employees. It is granted for a purpose which concerns no one in the world except the corporation itself and the employee to whom the favor is granted. It is solely a question between employer and employee, and in which the public has no interest one way or the other. I do not believe that Congress has the right or power to prohibit it, and I do not believe that any public interest requires that Congress should attempt to do so; consequently I have no hesitation in saying that such amendment should be voted down, or at least so changed as not to attempt in any way to interfere with the relations between employer and employee so far as the granting of free transportation by the employer to the employee is concerned. I hope such a change may be made before the rate bill, important as it is, is allowed to become a law.

Mr. CAMPBELL of Kansas. Mr. Chairman, how much time is there remaining?

The CHAIRMAN. Three minutes.

Mr. CAMPBELL of Kansas. Mr. Chairman, I move to strike out the whole of section 9.

The CHAIRMAN. That is not in order at this time until the section has been perfected. The Chair will recognize the gentleman from Kansas.

Mr. CAMPBELL of Kansas. Mr. Chairman, the whole section is so objectionable that I think it quite impossible by any amendments that have been offered to make it satisfactory to this House or to the country. Some of the most industrious citizens of this Republic, native and foreign born, can neither read nor write in any language, much less in two. Some of the most prosperous men among the laboring people of the country, among the farmers of the country, are men who can neither read nor write to the extent required in this section. Now, you put in this bill as a necessary qualification for citizenship in the Republic a requirement that a man shall be able to read and write in two languages, a thing that the gentleman in charge of this bill can not do. Why, Mr. Chairman, I know men who have come to this country, who have become among its best citizens, and who have not yet learned to read or write in our language. I saw one of them enlist to fight under the flag of his adopted country. He made a good soldier in a regiment that won fame in our war with Spain. He neither reads nor writes in our language. Yet he is a patriotic citizen, naturalized under the laws as they now exist. Men who neither read nor write make good citizens, whether they be native or foreign born, if they are honest and industrious; and I agree with the gentleman from New York [Mr. COCKRAN] that some of the most dangerous men who come into this country from foreign lands are men who are educated, who are able to promulgate the vicious doctrines of anarchy they have learned under the monarchies of the Old World.

They are the men against whom the Republic needs protection—not against the honest men who come to this country to improve their condition by seizing opportunities that are to be found here for honest labor. Such men are not a menace to the citizenship of this country, but add to it and make it better. I wish they were all able to read and write our language as well as the language of their native country, but many of them can not, and I would not deny those who can not the privilege of citizenship after they have been admitted into the body of our people if they are qualified in all other respects. Love of our country, loyalty to its flag, and frugal habits and industry are the real essentials for good citizenship. [Applause.]

Mr. KEIFER. Mr. Chairman, I rise to a parliamentary inquiry. I understood the Chair to rule that a motion to strike out the section was not in order. I suppose it was in order to have it pending and that other amendments might be offered and voted on first.

The CHAIRMAN. The Chair, without objection, will state the parliamentary situation to the House. The gentleman from Illinois [Mr. WHARTON] has offered an amendment to strike out and insert. The gentleman from Nebraska [Mr. KENNEDY] has offered a substitute, and the gentleman from Minnesota [Mr. STEENERSON] has offered an amendment to the substitute. Without objection, the Clerk will report the three propositions.

Mr. BONYNGE. Mr. Chairman, before that is done I ask unanimous consent that all Members of the House may have ten days within which to insert remarks in the RECORD upon the bill, and to extend remarks.

The CHAIRMAN. The Chair will state that that can not be done in Committee of the Whole. That is something which has to be done in the House.

Mr. BURGESS. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Mr. Chairman, I wish you would have the Clerk, for the information of the House, announce whose amendment it is he is reading as he reads it.

The CHAIRMAN. The Clerk will comply with the suggestion.

The amendment offered by the gentleman from Illinois [Mr. WHARTON] was again read.

The amendment offered by Mr. KENNEDY of Nebraska was again read.

The amendment offered by Mr. STEENERSON was again read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois to perfect the text.

The question was taken; and the Chair announced that the ayes appeared to have it.

On a division (demanded by Mr. MANN) there were—ayes 37, noes 57.

Mr. WHARTON. Mr. Chairman, I ask for tellers.

Tellers were refused.

Mr. CLARK of Missouri. No quorum, Mr. Chairman.

The CHAIRMAN (after counting). One hundred and sixty-five Members are present, a quorum.

So the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota to the substitute offered by the gentleman from Nebraska.

Mr. COCKRAN. What would an affirmative vote be for, Mr. Chairman, the proposition of the gentleman from Nebraska?

The CHAIRMAN. It would be in favor of the amendment offered by the gentleman from Minnesota, which, without objection, the Clerk will again report.

The amendment was again reported.

The question was taken; and the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the substitute offered by the gentleman from Nebraska.

Mr. GARDNER of Michigan. May we have it read again?

The amendment was again reported.

The question was taken; and the Chair announced that the ayes appeared to have it.

On a division (demanded by Mr. GARDNER of Massachusetts), the ayes were 93, and the noes were 34.

Mr. GARDNER of Massachusetts. Tellers, Mr. Chairman.

Mr. EDWARDS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. EDWARDS. To make a motion.

The CHAIRMAN. The gentleman from Massachusetts demands tellers.

Tellers were refused.

Mr. COCKRAN. Mr. Chairman, I move to strike out the whole section.

The CHAIRMAN. It is moved by the gentleman from New York that section 9 be stricken out.

The question was taken; and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. COCKRAN), there were—ayes 45, noes 104.

Mr. BURGESS and several MEMBERS. Tellers!

Mr. POLLARD. Mr. Chairman——

The CHAIRMAN. No gentleman rose to demand tellers.

Mr. BURGESS rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BURGESS. I demanded tellers.

The CHAIRMAN. The Chair did not see the gentleman from Texas.

Tellers were ordered.

The committee again divided; and the tellers [Mr. BONYNGE and Mr. BURGESS] reported—ayes 51, noes 106.

So the amendment was rejected.

Mr. POLLARD. Mr. Chairman, I would like to know whether my amendment will be in order, which I submitted to the desk some time since?

The CHAIRMAN. The gentleman's amendment will not be in order in its present form for the reason that it seems to amend certain lines in section 9 which have been stricken out.

Mr. POLLARD. Then, Mr. Chairman, I move as a substitute for the amendment that was adopted, introduced by the gentleman from Nebraska, the following: "That no alien shall hereafter be naturalized"——

The CHAIRMAN. The gentleman is too late to make that motion.

Mr. POLLARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. POLLARD. Mr. Chairman, I would like to inquire whether I can offer a substitute for the whole paragraph, section 9?

The CHAIRMAN. If the gentleman has a new proposition covering the entire subject, he could.

Mr. POLLARD. I would like to submit it and then the Chair can rule on it. I move, then, as a substitute, Mr. Chairman, that the following be adopted for section 9:

That no alien shall hereafter be naturalized or admitted as a citizen of the United States who can not read or write in his own language or in the English language and who can not speak and understand the English language: *Provided* That this requirement shall not apply to aliens who are physically unable to comply therewith, if they are otherwise to become citizens of the United States.

I offer that as a substitute for the section.

Mr. BONYNGE. Mr. Chairman, I make the point of order that we have just voted upon that proposition.

The CHAIRMAN. The Chair does not think the gentleman makes his amendment in order.

The Clerk read as follows:

SEC. 10. That every final hearing upon such petition shall be had in open court before a judge or judges thereof, and every final order which may be made upon such petition shall be under the hand of the court and entered in full upon a record kept for that purpose, and upon such final hearing of such petition the applicant and witnesses shall be examined under oath before the court and in the presence of the court.

Mr. FITZGERALD. I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 10, line 10, insert: "*Provided*, That whenever, in any Federal court of naturalization, the pressure of business during the last preceding year has become such that causes or proceedings in admiralty, equity, bankruptcy, or at common law or criminal proceedings can not be reached for trial within six months after the date of issue in such actions or proceedings, the judge or justice of such court may enter an order under his hand appointing masters or United States commissioners, before whom all testimony, oaths (except the oaths prescribed by subdivisions 1 and 3 of section 5), affidavits, petitions, and depositions shall be taken, and who shall report their findings of law and fact to the court: *Provided further*, That such judge or justice may appoint a competent person as stenographer in naturalization proceedings; and the aggregate fees of such master or commissioner and stenographer shall be fixed and apportioned by the court, and shall not exceed the sum of $3 in each proceeding."

Mr. FITZGERALD. Mr. Chairman, an act has just been passed creating a third district judge for the southern district of New York. It has been necessary to provide three United States district judges for the southern district of New York because of the immense amount of business before the Federal courts about the city of New York. Under this bill as at present formed, if it be necessary to have all of the final hearings in naturalization cases before the judges, it will be necessary for the Federal judges to stop the business of their already overcrowded calendars and to take the testimony in longhand themselves. There are no salaried stenographers in the Federal courts, and under section 23 of this bill a petitioner for naturalization can not even agree to pay a stenographer for taking the testimony without subjecting himself to a penalty and committing a crime. If the United States intervenes in any of these cases, and testimony is to be taken, it must be taken by the judge in longhand, because section 23 of this bill would make it impossible for the petitioner to pay the fees without being guilty of the crime, and the only manner in which stenographers can be had in Federal courts is by the agreement of the parties to pay therefor.

This amendment, which was suggested by some of the Federal judges about New York, makes it possible when their business is at least six months behind for them to appoint masters to take testimony and report the conclusions of law and findings of fact, and provides that the fees shall not exceed $3, and that they shall be apportioned between the master and the stenographer.

Two classes of oaths are excepted. The first is the oath which is to be taken before the clerk, as provided in subdivision 1 of section 5, and the other is the oath provided in subdivision 3 of section 5, where a proposed applicant for citizenship has some title which he is compelled to renounce. The oath renouncing the title must be taken in open court.

In the southern district of New York there are now three Federal judges. In the eastern district there is one, and the calendars of both of these courts are very much crowded. If the judges be compelled, either in New York, Brooklyn, Boston, Chicago, or Philadelphia, where the Federal calendars are greatly crowded, to take the testimony in these naturalization cases in longhand, it would be impossible for them to properly discharge the duties of their office and to give the necessary time and attention to the ordinary business of the court that should be given. I hope that the committee will accept this amendment, or, if it desires, extend the time within which courts may be behind in their business before they can order the taking of the depositions and testimony before masters or commissioners instead of taking it themselves. At least it seems to me that some provision should be made that would enable the court, where the United States intervenes, to cross-examine witnesses and summon witnesses to contravert the allegations of the petitioner, to permit the petitioner to pay a stenographer and thus expedite the business of the courts.

Mr. BONYNGE. I do not desire to take up the time of the committee, Mr. Chairman. I will say that we considered a similar proposition in the committee, and after full consideration voted it down unanimously. As it appears in reference to section 23, that will be removed when we reach that section. I ask for a vote, Mr. Chairman, on this amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

SEC. 13. That in any naturalization proceeding in any court exercising jurisdiction under this act either party shall have the right of appeal to the United States circuit court of appeals of the proper circuit, and in any case such as is described by section 5 of the judiciary act of March 3, 1891, such appeal may be taken direct to the Supreme Court of the United States: *Provided*, That all appeals under this section shall be taken within forty-five days after the entry of the final order by the court before which such proceeding is had. And in no case in which the United States appears in opposition to the granting of a petition for naturalization shall the court before which such hearing is had, or the clerk thereof, issue a certificate of citizenship within forty-five days after the entry of the final order unless the Bureau of Immigration and Naturalization shall file with the clerk of said court a statement to the effect that the United States does not propose to take an appeal. In case an appeal is taken within said time the court shall not issue a certificate in such case except upon and in conformity with the mandate of the court to which such appeal shall have been taken.

Mr. SHERLEY. I would like to call the attention of the gentleman in charge of the bill to the fact that the reference to the appellate court is descriptive only where the appeal may be taken from a United States court, and while it is evidently in the minds of the framers of this section that the appeal should be had to the circuit court of appeals having jurisdiction of appeal from the inferior United States court of the district within which is situated the State court, there is nothing that actually says so; and as there is now no circuit court of appeals that has jurisdiction of appeals from inferior State courts, there ought to be some language that would more accurately describe what was in the minds of the framers of the section.

Mr. BONYNGE. I do not know what other language could

be employed. It would be the circuit court of appeals of the circuit in which the court was located. It says, "of the proper circuit."

Mr. SHERLEY. I do not think the gentleman catches the point. It is where the appeal is from the action of the United States court that you are speaking of. It is an appeal from the district court to that court, but it is an appeal from a State court I am speaking of. There is nothing except an inference that would indicate what circuit court of appeals the appeal is to in such a case.

Mr. BONYNGE. I think the same language would apply. It would be the circuit court of appeals of the circuit in which the State court was located.

Mr. SHERLEY. That, of course, is in the minds of the drawers of the bill, but it is not in the bill.

Mr. CLARK of Missouri. I want to ask the gentleman from Colorado a question.

Mr. BONYNGE. I yield to the gentleman.

Mr. CLARK of Missouri. In lines 15, 16, and so forth, I find this language:

And in no case in which the United States appears in opposition to the granting of a petition, etc.

Now, does this bill provide for the appearance of the United States in opposition to every one of these cases on application?

Mr. BONYNGE. Oh, no; not at all. We went over that this morning. I will say to the gentleman that the United States district attorney can appear in any case where he thinks there is cause for opposing the application, and we do not stay the proceedings for the forty-five days except in those cases where it is found to be necessary to appear on behalf of the Government in opposition.

Mr. CLARK of Missouri. Who is it that puts the United States attorney on the qui vive to find out this?

Mr. BONYNGE. The Bureau of Immigration and Naturalization.

Mr. CLARK of Missouri. They are going to run it?

Mr. BONYNGE. They give him the information. He runs the case, the same as in any other case where it is necessary to have an attorney.

Mr. CLARK of Missouri. Is the United States district attorney put under the jurisdiction and supervision of this Bureau of Immigration and Naturalization for the purposes of this case?

Mr. BONYNGE. No, sir; he is under the jurisdiction of the Attorney-General, and he appears in all cases where the United States is a party, and the United States is a party to proceedings in naturalization.

Mr. CLARK of Missouri. Then it comes right back to the question I asked you a moment ago—if the United States is to be considered as appearing in opposition to the granting of every petition?

Mr. BONYNGE. No. The United States is a party to the proceedings, and it may appear in opposition to any case where it deems it necessary.

Mr. PERKINS. I move to strike out the last two words in order to ask a question. I would ask the gentleman in charge of the bill——

The CHAIRMAN. The gentleman from Kentucky has the floor, and his time has not expired.

Mr. SHERLEY. I simply desire to get a little more information in regard to the first part of the section. I think the gentleman, in a sense, misunderstands the proposition I made to him. Of course, it is evident that the intention was to make an appeal from the State court to the same circuit court of appeals that would have jurisdiction in the event that the appeal was taken from the United States district court.

Mr. BONYNGE. That is true.

Mr. SHERLEY. But it does not say so, and the language is exceedingly loose.

Mr. BONYNGE. Can the gentleman suggest any language that would convey the idea better than that which the committee have used?

Mr. SHERLEY. The gentleman will understand that it is difficult on the floor to consider such a matter so as properly to perfect it; but those in charge of the bill must have had their attention directed to a matter of this kind, and that such language as this, providing for a procedure which, to say the least, is unusual, ought to be very clearly expressed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask unanimous consent to proceed for two minutes.

There was no objection.

Mr. SHERLEY. Ordinarily no right of appeal lies from a State court to the United States court at all, except in certain enumerated cases. Now, you have created a new appeal from an inferior State court to the United States court, and you are doing it in language that, while clear to you gentlemen, because you know what you desire, is not clear to a mere reader of the law, and I suggest to the gentleman that the section had better be passed, if he is not prepared to perfect it.

Mr. BONYNGE. I will say to the gentleman that the section was prepared or was given to us by the Commission, upon which was the Assistant Attorney-General, who had this particular section in charge, and the committee considered it for some time, and no more apt language to convey the idea occurs to me at this moment. The proper circuit court is the circuit court in the district in which the State court is located. I think it is covered by this language.

Mr. SMITH of California. Suppose the State court in which the proceeding was had was part in one Federal district and part in another. Then to which Federal court would the appeal be had?

Mr. PERKINS. I move to strike out the last two words. I should like to ask the gentleman in charge of the bill what are the circumstances under which an appeal is allowed direct to the Supreme Court of the United States? Why should that be, and when is it?

Mr. BONYNGE. That is covered by the act of 1891, creating the circuit court of appeals. By section 5 of that act appeals may be taken direct from the existing district or circuit courts of the United States to the Supreme Court without going through the circuit court of appeals in certain cases involving the Constitution or involving treaty matters, and some other specific cases, but those are the only ones in which naturalization proceedings could by any possibility become involved.

Mr. PERKINS. Could there be any case under the naturalization law in which that question could arise?

Mr. BONYNGE. There might under some treaty, I think.

Mr. PERKINS. Then under that alone would the appeal be allowed to the Supreme Court?

Mr. BONYNGE. Direct to the Supreme Court.

Mr. PERKINS. Either directly or indirectly, any appeal at all.

Mr. SHERLEY. I should like to ask the gentleman whether there is any provision in the bill as to how the record is to be certified up, or anything as to the procedure on appeal from the State court to the circuit court of appeals?

Mr. BONYNGE. No; because I think the act creating the court of appeals provides for all appeals, and how they may be taken.

Mr. SHERLEY. Yes; but the act creating the circuit court of appeals does not provide for such an appeal as this from the State court.

Mr. BONYNGE. No; it does not.

Mr. SHERLEY. Does not the gentleman think, then, that provision might well be made by inserting herein language to cover the procedure that applies now in cases of appeals from State courts to Federal courts, and thus applying it in this case? In other words, the gentleman has a skeleton arrangement here, with absolutely no information as to how the procedure is to be had.

Mr. BONYNGE. I think that is covered by the statute of 1891, creating the circuit court of appeals, which provides how appeals may be taken to that court. I would have no objection to a short amendment, providing that appeals from the State court to the circuit court of appeals should be governed by that statute, or something to that effect.

Mr. SHERLEY. Can the gentleman tell the committee just what the practice now is, and how far it may be applicable? The proviso that exists in regard to appeals now in the circuit court of appeals act is a proviso intended for classes of cases entirely different from this sort of a case.

Mr. BONYNGE. That is true.

Mr. SHERLEY. This case is in a sense an ex parte matter. There are no parties in the strict sense of the word, and it seems to me the committee having in charge this bill ought to have considered the advisability of providing for some method of procedure. As it is now there is nothing but a general statement that an appeal shall be had to the circuit court of appeals for the proper circuit, without any suggestion, even, as to the proper circuit.

Mr. BONYNGE. Mr. Chairman, an amendment has been suggested to me which I think will probably meet with the gentleman's approval. It is an amendment drawn by the gentleman from New York [Mr. WALDO]. I shall move to amend by striking out the word "proper," in line 9, page 11, and after the word "circuit," in line 9, to insert the words "in which the naturalization proceeding is pending." I think that is an improvement. I offer that amendment.

The CHAIRMAN. Without objection, the pro forma amend-

ment will be withdrawn, and the Clerk will report the amendment offered by the gentleman from Colorado.

The Clerk read as follows:

Strike out the word "proper," in line 9, page 11, and after the word "circuit," in line 9, insert the words "in which the naturalization proceeding is pending."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. LACEY. Mr. Chairman, I move to strike out the whole section.

The CHAIRMAN. An amendment is now pending, and a motion to strike out the section is not in order until that is disposed of.

Mr. KEIFER. Mr. Chairman, is not the amendment offered by the gentleman from Colorado, the chairman of the committee, pending?

The CHAIRMAN. Yes.

Mr. KEIFER. I desire to be heard on that.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. KEIFER. Mr. Chairman, I am not trying to embarrass the passage of this bill. I am not entirely satisfied with it, but I am quite certain that the committee has not fully considered this section 13. What the committee undertakes to do in the way of providing for the right of appeal to the United States circuit court of appeals will not be improved in the least by the amendment just offered by the gentleman from Colorado. It will only more definitely fix the United States court to which an appeal might be taken, providing the proceeding to be appealed from is pending in a United States court. When gentlemen talk about providing for an appeal from a State court to a United States circuit court, they are talking about an anomaly in the law. There has never been any such thing as an appeal of this character, and it is not provided for in any general law and never was. It is asserted that there are cases taken from the State court to the Supreme Court of the United States, but they are only cases involving a constitutional question, where it is made to appear to the United States Supreme Court that some constitutional question, some question involving some clause of the Constitution is involved. Then that court takes jurisdiction, but it is not in the nature of an appeal as generally understood at all. It is more properly an error proceeding, to obtain a construction of the Constitution of the United States.

There are possibly provisions for a like proceeding where a United States statute is involved. I am not now talking about cases which may be transferred from a State to a United States court for trial where a United States law or the Constitution is involved.

Mr. BONYNGE. Will the gentleman yield for a moment?

Mr. KEIFER. Certainly.

Mr. BONYNGE. Does the gentleman say that an appeal can not be taken from the highest court of a State, under existing law in any case involving a Federal question pure and simple.

Mr. KEIFER. Mr. Chairman, if the gentleman had been listening to what I have said he would not have asked that question, because it would have been wholly unnecessary.

Mr. STAFFORD. Does the gentleman believe that from the courts of unlimited jurisdiction, which alone have power under this bill to naturalize, that any appeal should lie whatsoever to any court?

Mr. KEIFER. Oh, I am not speaking about what the bill ought to have in it, but the gentlemen who framed and advocate *this bill* are undertaking to provide for an appeal from the State court to the United States circuit court of appeals and for a retrial there.

Mr. STAFFORD. I am trying to ascertain the gentleman's opinion.

Mr. KEIFER. That can not be done in this way, for the reason that there is no provision for the perfecting of an appeal or any sort of procedure to work it out.

Mr. STAFFORD. I am trying to ascertain the gentleman's opinion as to whether he thinks there is any need for an appeal in any case.

Mr. KEIFER. I am sure it is better to strike out all provisions relating to an appeal of this kind rather than to confuse the law, if the bill should become a law. I do not know that it is necessary to have an appeal at all. I have not been trying to perfect this bill; but I understand those who have had charge of it claim that they are providing for an appeal from any State court that may take jurisdiction in the matter of naturalization, within a certain number of days, to the United States circuit court of appeals. That I deny can be done. There is no provision here or ever was outside of the bill to that effect, and it is an anomaly to have it in it. If there is any authority to authorize a State court to take jurisdiction of a case or proceeding and for an appeal from it after trial, which I doubt, it certainly would be unwise to attempt it.

Mr. HINSHAW. It involves a Federal question, a question of naturalization. Now, if we invest by law State courts with authority in Federal questions, why can not we by a statute give an appeal to a Federal court?

Mr. KEIFER. Mr. Chairman, the gentleman asks a question that I will answer. I answer it by the general practice that there never has been, and for convenience and practicability there never will be, a provision of this kind with reference to ordinary litigation. I understand perfectly well, Mr. Chairman, that where we have a case pending in a State court that involves a Federal question we may go to a Federal court not by appeal, but for the purpose of review and by transfer, as I have tried to state. How would an appeal from a State to a Federal court be taken should this bill become a law with this section 13 in it?

The CHAIRMAN. The time of the gentleman has expired.

Mr. LACEY. Mr. Chairman, the whole section ought to go out of the bill, in my judgment. There is a temptation in this bill to a partisan district attorney to select out of the list of those who have been recently naturalized such as he would want to prevent from voting at the next election. An appeal can be taken by him and all of those individuals thus selected would be prevented from voting. It is much safer to leave this whole matter as it is now, entirely a question of fact and law with the court in which the naturalization is granted. It is proposed to open up this question so that any alien who seeks naturalization will at once become a party to a lawsuit ending only in the Supreme Court of the United States. It is a wholly unnecessary proposition, and the short way to dispose of this section will be to strike it out absolutely.

We can certainly trust these courts. They have to hear these cases, they are tried on their merits, they are tried on the evidence, and under the provision of law the district attorney may appear and controvert the facts in the court. That ought to be the end of it, but thousands of cases—enough cases to absolutely overwhelm the Supreme Court of the United States—could be piled up from any single State. The courts formerly in England had no jurisdiction of appeals in criminal cases. In criminal cases a man was tried for the crime and the trial court was the final judge of the case. We have opened up in this country a wide arena of appeals to such an extent as to overwhelm the courts and to prevent the speedy administration of justice in all criminal cases. It is proposed to add to the appeals every case where a man may seek naturalization. The court before which his case is presented, which sees the witnesses, which sees the applicant and determines that he possesses the requisite qualifications, ought to be the final judge of the law and the fact. If the question may then be relitigated and taken to the circuit court of appeals at some distant point involving the applicant in a great expense, it would work a wholly unnecessary hardship, and I think this whole section ought to go out.

Mr. HINSHAW. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Iowa yield?

Mr. LACEY. I yield to the gentleman.

Mr. HINSHAW. It has been alleged at different times that courts themselves have been corrupt in regard to naturalization of aliens, and therefore there would be no chance to reverse the decisions of these fraudulent courts if this section is stricken out.

Mr. LACEY. But the contrary abuse is so much worse than the occasional and very rare corruption of a court that it would be infinitely worse than the difficulty that it seeks to remedy. Last year in Iowa I recall an instance where fifteen or twenty fraudulent naturalization papers were obtained. Every one of the applicants have been indicted for the crime of perjury.

The cases are rare where a court has been found corrupt. A partisan district attorney would be more likely to take a partisan appeal than would a court be to do injustice.

Mr. BONYNGE. I am going to ask unanimous consent that this section may be passed without prejudice.

Mr. LACEY. Very well; and I hope my friend, after further thought, will pass the section out without prejudice.

Mr. CLARK of Missouri. Mr. Chairman, I would like to do whatever is necessary to do in order to get five minutes. [Laughter.]

The CHAIRMAN. The gentleman from Missouri [Mr. CLARK] moves to strike out the last word.

Mr. CLARK of Missouri. Now, if the gentleman from Colorado [Mr. BONYNGE] will agree to move to strike out the whole section, I will yield back my five minutes.

Mr. BONYNGE. I have asked unanimous consent to pass this section without prejudice.

Mr. CLARK of Missouri. If that is the status of it, I want to say what I have to say.

I agree with the gentleman from Ohio [Mr. KEIFER] in what he says, and I thoroughly agree with the gentleman from Iowa [Mr. LACEY] in what he says. This section undoubtedly ought to go out. Let us see what a preposterous position we are putting ourselves in before the country. We are providing here, for one thing, that the man who gets into controversy about naturalization shall have the right, if he is in a Federal court, to appeal to the Federal circuit court of appeals. Nobody doubts we can confer that jurisdiction. But, so far as the language in this section goes, it seems to imply that if the proceeding is in a State court he still can appeal to the United States circuit court of appeals.

I say that it is absolutely preposterous to have an appeal lie from the circuit court of Iowa, if that is what you call it up there, or the district court of Kansas, or the circuit court of Missouri, to an inferior Federal court. It is absolutely ridiculous. Or, go further, and suppose the man prosecutes an appeal, if there is any machinery for it, from the nisi prius State courts to the supreme court of that State, then you put us into the ridiculous attitude of saying to the country that a man may appeal from the supreme court of one of these States to an inferior Federal court.

While I am at it I want to say another thing. There has been a good deal of insinuation and assertion here in the course of this debate, from the first of it to the last, that the State courts are not to be as much relied upon as the Federal courts. I do not believe a word of it, and if I had to take my chances in any court to get justice, I would rather go to the State court of any State in the Union than to go to the Federal courts. It seems to me that some people are getting daffy on the whole subject anyhow. We have managed to wigwag along in this country for several years without tying everybody up with statutes that nobody can understand, and we might manage to wigwag along until Congress meets in December, under the same statutes we have now. [Applause.]

Mr. BONYNGE. Mr. Chairman, I understand unanimous consent has been granted to pass this section without prejudice.

The CHAIRMAN. The Chair has not heard the request made.

Mr. BONYNGE. I ask unanimous consent that this section may be passed without prejudice.

Mr. SIMS. Without an explanation, I shall object.

The CHAIRMAN. The gentleman from Colorado [Mr. BONYNGE] asks unanimous consent that this section may be passed without prejudice. Is there objection?

Mr. SIMS. Without explanation, I reserve the right to object.

Mr. BONYNGE. Mr. Chairman, I have concluded from the debate that possibly it does require some amendment in reference to the proceeding for the appeal. You can not prepare such an amendment in two minutes, and therefore I have asked unanimous consent that it may be passed without prejudice.

Mr. SIMS. My idea was to vote on it while the discussion was fresh and we knew what it was.

The CHAIRMAN. Is there objection?

Mr. SMITH of California. Reserving the right to object, I would like to call the committee's attention to another equally ridiculous feature in this, and maybe they can doctor that up when they get in the committee room. The bill as it now reads provides that if the district attorney appears and offers any objection, however formal it may be, it stays judgment, as you would say, or it stays the issuance of the certificate of naturalization for forty-five days. Now, he might go in and make the appearance in good faith and find there was nothing in it, and yet he is absolutely powerless to withdraw that and allow the matter to go to final judgment, as we say, or to the issuance of the certificate, for it says that it shall stay the matter for forty-five days, "unless the Bureau of Immigration and Naturalization shall file with the clerk of said court a statement to the effect that the United States does not propose to take an appeal." I think that should be doctored, too.

Mr. CLARK of Missouri. Mr. Chairman, I move that the committee do now rise. It is Saturday night, and we want to get ready to go to church.

The CHAIRMAN. The gentleman from Missouri moves that the committee do now rise.

Mr. DRISCOLL. Mr. Chairman, I ask unanimous consent to extend remarks in the RECORD on another subject.

The CHAIRMAN. Does the gentleman from Missouri withhold his motion for that purpose?

Mr. CLARK of Missouri. Yes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Missouri moves that the committee do now rise.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. CLARK of Missouri. Division, Mr. Chairman.

The committee divided; and there were—ayes 70, noes 78.

Mr. CLARK of Missouri. Tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from Missouri [Mr. CLARK] and the gentleman from Colorado [Mr. BONYNGE] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 74, noes 88.

So the motion was lost.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that this section may be passed without prejudice. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

SEC. 14. That it is hereby made the duty of the clerk of each and every court exercising jurisdiction in naturalization matters under the provisions of this act to keep and file a duplicate of each declaration of intention made before him and to send to the Bureau of Immigration and Naturalization at Washington, within thirty days after the issuance of a certificate of citizenship, a duplicate of such certificate, and to make and keep on file in his office a stub for each certificate so issued by him, whereon shall be entered a memorandum of all the essential facts set forth in such certificate. It shall also be the duty of the clerk of each of said courts to report to the said Bureau, within thirty days after the final hearing and decision of the court, the name of each and every alien who shall be denied naturalization, and to furnish to said Bureau duplicates of all petitions within thirty days after the filing of the same, and certified copies of such other proceedings and orders instituted in or issued out of said court affecting or relating to the naturalization of aliens as may be required from time to time by the said Bureau.

In case any such clerk or officer acting under his direction shall refuse or neglect to comply with any of the foregoing provisions he shall forfeit and pay to the United States the sum of $25 in each and every case in which such violation or omission occurs, and the amount of such forfeiture may be recovered by the United States in an action of debt against such clerk.

Clerks of courts having and exercising jurisdiction in naturalization matters shall be responsible for all blank certificates of citizenship received by them from time to time from the Bureau of Immigration and Naturalization, and shall account for the same to the said Bureau whenever required so to do by such Bureau. No certificate of citizenship received by any such clerk which may be defaced or injured in such manner as to prevent its use as herein provided shall in any case be destroyed, but such certificate shall be returned to the said Bureau; and in case any such clerk shall fail to return or properly account for any certificate furnished by the said Bureau, as herein provided, he shall be liable to the United States in the sum of $50, to be recovered in an action of debt, for each and every certificate not properly accounted for or returned.

Mr. RUCKER. Mr. Chairman——

Mr. BONYNGE. If amendments are to be offered to this section, I move that the committee do now rise.

Mr. RUCKER. I will not offer one now.

The CHAIRMAN. The gentleman from Colorado moves that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CURRIER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15442, and had come to no resolution thereon.

Mr. WOOD of New Jersey. Mr. Speaker, on the 13th of December, 1905, I introduced a bill to erect a monument to commemorate the battle of Princeton. In this distinguished body of official representatives of the American people, in the presence of men so well versed in American history, and who are so familiar with the events of our great Revolutionary struggle, it is not necessary to say more than a word as to the importance of the battle of Princeton. It played a large, conspicuous, and decisive part in the illustrious and forever memorable war that brought about the independence of the American colonies. It marked the crisis of the Revolution. It was the dividing point, so historians concede, between defeat and victory. It was there that new inspiration brought fresh hope and courage to the disheartened forces of the colonies and lighted anew the fast-ebbing flame of heroism and devotion in the breasts of those brave patriots. And it was from Princeton that the colonial troops marched forward over a pathway that was ever brightening, to culminate at length in the glorious triumph of Yorktown.

Nearly one hundred and thirty years have passed since that time, and yet there is no monument in bronze or marble or granite to commemorate the dauntless valor and heroism displayed on that occasion by our colonial troops, or to testify to the magnificent military skill and strategy there shown by the commander in chief, whose reputation from that time forth as a great military character attracted the attention of all Europe.

Nearly all the other great historic battle grounds of the Revolution have their appropriate monuments. This is the last to appeal for similar recognition to the patriotic sentiment of Congress and the American people.

Princeton will be for all time one of the great historic places of America. It was there that the Continental Congress held its sessions. It was there that the commander in chief issued his proclamation of peace with Great Britain. The first president of its college, John Witherspoon, was one of the signers of the Declaration of Independence. The old walls of her academic buildings still bear the imprint of British bullets, and the patriotic wisdom of her founders made imprints deeper and still more lasting on the beginnings of our American life.

Princeton is known all over the globe as one of the oldest and greatest of all our educational institutions. A monument in that old academic town would forever be an incentive to the truest and loftiest patriotism on the part of the thousands and tens of thousands of youths who in the years to come shall go forth from her academic halls to play their part in developing, maintaining, and perpetuating the free institutions whose right to exist was there, in so large a measure, achieved.

On the 3d day of January, 1887, the one hundred and tenth anniversary of the battle of Princeton, the Princeton Battle Monument Association was organized. The one great patriotic endeavor of this association during all the years, nearly a score, that have elapsed since that time has been to rear a monument that should be a shrine for American patriotism and that should be the embodiment of the great and patriotic memories that will forever cluster about that historic place.

This bill provides for the appropriation of $30,000 on condition that a like amount be raised by the Princeton Battle Monument Association. Fifteen thousand dollars of this amount have already been appropriated by the State of New Jersey, and the balance will speedily be raised by this association. Bills having a similar object in view passed the Fiftieth, the Fifty-second, the Fifty-seventh, and the Fifty-eighth Congresses, and this bill has been heartily recommended by the Committee on the Library of this House.

No better investment, I take it, could be made in the interest of real patriotism; none that would bring returns of larger and truer value; none that would pay greater dividends, than the appropriation of this amount in the recognition of the mighty deeds wrought in that soul-stirring period of our colonial strife by the mighty heroes of our Revolutionary conflict.

REGULATION OF RAILROAD RATES.

Mr. HEPBURN. Mr. Speaker, I desire to present the conference report on the bill H. R. 12987, and the statement of the House conferees, and ask to have the same printed in the RECORD under the rule.

The SPEAKER. The gentleman from Iowa presents a conference report to be printed under the rule.

BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles and House bill with Senate amendments were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 6240. An act granting an increase of pension to John G. Fonda—to the Committee on Invalid Pensions.

S. 6300. An act providing when patents shall issue to the purchasers of certain lands in the State of Oregon—to the Committee on Indian Affairs.

H. R. 18030. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1907, and for other purposes—to the Committee on Military Affairs.

S. 6354. An act to survey and allot the lands embraced within the limits of the Blackfeet Indian Reservation, in the State of Montana, and to open the surplus lands to settlement—to the Committee on Indian Affairs.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 17072. An act granting an increase of pension to Joseph French;

H. R. 13787. An act granting an increase of pension to Malcolm Ray;

H. R. 13022. An act granting an increase of pension to Sarah L. Ghrist;

H. R. 12135. An act granting an increase of pension to William Laudahn;

H. R. 15869. An act granting an increase of pension to William H. McCune;

H. R. 5539. An act for the relief of the State of Rhode Island;

H. R. 12064. An act to amend section 7 of an act entitled "An act to provide for a permanent census office," approved March 6, 1902;

H. R. 17127. An act to provide for the subdivision and sale of certain lands in the State of Washington;

H. R. 15266. An act to amend existing laws relating to the fortification of pure sweet wines;

H. R. 16484. An act to amend section 1 of an act entitled "An act relating to the metropolitan police of the District of Columbia," approved February 28, 1901;

H. R. 17453. An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials;

H. R. 14513. An act to prevent the giving of false alarms of fires in the District of Columbia; and

H. R. 18333. An act granting land to the city of Albuquerque for public purposes.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5561. An act to amend an act entitled "An act to amend an act entitled 'An act to incorporate the Masonic Mutual Relief Association of the District of Columbia,'" approved February 5, 1901; and

S. 1243. An act providing for compulsory education in the District of Columbia.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 17507. An act to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations, in Oklahoma Territory.

WHARVES AND PIERS, PORTO RICO.

Mr. COOPER of Wisconsin. Mr. Speaker, I present the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 18502), together with the statement of the managers on the part of the House of Representatives, and ask that they be printed in the RECORD, under the rule.

The SPEAKER. The gentleman from Wisconsin presents a conference report and statement for printing under the rule.

PERSONAL REQUESTS.

The SPEAKER. The Chair lays before the House the following personal requests:

Mr. BARTHOLDT requests leave of absence, for one day, on account of important business.

Mr. COLE requests leave of absence, for one day, on account of important business.

Mr. HUMPHREY of Washington requests leave of absence, indefinitely, on account of sickness in family.

Mr. GAINES of Tennessee requests leave of absense, for five days, on account of sickness.

Mr. TAYLOR of Alabama requests leave of absence, indefinitely, on account of important business.

Mr. LOVERING requests leave of absence, for one week, on account of important business.

Mr. LONGWORTH requests leave of absence, for balance of session, on account of important business.

Mr. BURKE of South Dakota requests leave of absence, for four days, on account of important business.

Mr. SHERMAN asks leave to withdraw from the files of the House, without leaving copies, the papers in the case of Milo Loomis, Fifty-second Congress, no adverse report having been made thereon.

Mr. PAYNE. Mr. Speaker, I move that the requests be granted.

The question was taken; and the motion was agreed to.

STATEHOOD.

Mr. HAMILTON. Mr. Speaker, I desire to present the report of the conferees on the statehood bill for printing in the RECORD, with the statement accompanying the same.

The SPEAKER. The gentleman from Michigan presents a conference report and statement for printing under the rules.

Mr. MURPHY. Mr. Speaker, I desire to present a privileged resolution.

The SPEAKER. The gentleman presents a privileged resolution. The Clerk will report the same.

The Clerk read as follows:

Resolved, That the rule or resolution heretofore adopted on January 25, 1906, sending H. R. 12707, commonly know as the "statehood bill," to conference, be, and the same is hereby, rescinded and vacated as to all matters and things therein contained, and that the conferees on the part of the House be, and they are hereby, discharged from further consideration or action thereon; and it shall be in order for the House immediately, without debate, intervening motion, or appeal, to pro-

ceed to vote upon the following proposition: Shall the House agree to and concur in the Senate amendments to H. R. 12707, known as the "statehood bill?"

Mr. PAYNE. I make the point of order that that is not privileged or parliamentary.

The SPEAKER. The Chair will state that the position of this bill is that the Senate conferees have the papers, and under the practice and precedents the report is there first made. Even if it presented a question of privilege at this stage and the House had the papers, the Chair doubts if this would be in order; but it is clearly out of order, because the report presented here is presented for printing only. The Chair sustains the point of order.

Mr. MURPHY. Mr. Speaker, I appeal from the decision of the Chair.

Mr. BONYNGE. I move that the House do now adjourn.

The SPEAKER. The gentleman from Colorado moves that the House do now adjourn.

Mr. MURPHY. That is not a square deal.

The question was taken on the motion of Mr. BONYNGE, and it was agreed to.

Accordingly (at 5 o'clock and 24 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William Raines against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John W. Brooks, son of Isaac Brooks, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of E. M. Allison, administrator of estate of Francis Allison, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a schedule of claims allowed by the several accounting officers of the Treasury Department under the act of June 20, 1874—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GILLETT of California, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 19522) establishing regular terms of the United States circuit and district courts for the northern district of California at Eureka, Cal., reported the same without amendment, accompanied by a report (No. 4645); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 19815) to authorize the Georgia, Florida and Alabama Railway Company to construct a bridge across the Chattahoochee River, between Columbus, Ga., and Franklin, Ga., reported the same without amendment, accompanied by a report (No. 4646); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 19816) to authorize the Georgia, Florida and Alabama Railway Company to construct three railroad bridges across the Chattahoochee River, one at or near the city of Eufaula, Ala., and two between said city of Eufaula and the city of Columbus, Ga., reported the same without amendment, accompanied by a report (No. 4647); which said bill and report were referred to the House Calendar.

Mr. ROBINSON of Arkansas, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 4190) to amend an act entitled "An act to amend section 2455 of the Revised Statutes of the United States," approved February 26, 1895, reported the same with amendment, accompanied by a report (No. 4650); which said bill and report were referred to the House Calendar.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 18668) ratifying and confirming soldiers' additional homestead entries heretofore made and allowed upon lands embraced in what was formerly the Columbia Indian Reservation in the State of Washington, reported the same without amendment, accompanied by a report (No. 4653); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURTON of Ohio, from the Committee on Rivers and Harbors, to which was referred the bill of the House (H. R. 18024) for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes, reported the same with amendment, accompanied by a report (No. 4654); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the House joint resolution (H. J. Res. 166) providing for payment for dredging the channel and anchorage basin between Ship Island Harbor and Gulfport, Miss., and for other purposes, reported the same without amendment, accompanied by a report (No. 4656); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RUCKER, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 9343) providing for the resurvey of certain townships of land in the county of Baca, Colo., reported the same with amendment, accompanied by a report (No. 4658); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DIXON of Indiana, from the Committee on Public Lands, to which was referred the bill of the House H. R. 19654, reported in lieu thereof a bill (H. R. 19916) withdrawing from entry certain lands in Chouteau County, Mont., and leasing the same to the board of trustees of the Montana College of Agriculture and Mechanic Arts, reported the same with amendment, accompanied by a report (No. 4649); which said bill and report were referred to the Private Calendar.

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 16670) to indemnify Edgar P. Sweet, of Alger County, Mich., for homestead lands by granting other lands in lieu thereof, reported the same with amendment, accompanied by a report (No. 4657); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DIXON of Montana, from the Committee on the Public Lands: A bill (H. R. 19916) withdrawing from entry certain public lands in Chouteau County, Mont., and leasing the same to the board of trustees of the Montana College of Agriculture and Mechanic Arts—to the Private Calendar.

By Mr. REYNOLDS: A bill (H. R. 19917) to increase the pension of widows from $8 to $12 per month under the provisions of the act of June 27, 1890, and its amendments—to the Committee on Invalid Pensions.

By Mr. ALLEN of Maine: A bill (H. R. 19918) to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington"—to the Committe on the District of Columbia.

By Mr. BURLESON: A bill (H. R. 19919) to amend section 1814 of the Revised Statutes of the United States—to the Committee on the Library.

By Mr. TIRRELL: A bill (H. R. 19920) to regulate the service of process in the circuit and district courts of the United States—to the Committee on the Judiciary.

By Mr. SMITH of Maryland: A joint resolution (H. J. Res. 168) providing for a survey of Tuckahoe River, Maryland—to the Committee on Rivers and Harbors.

By Mr. BANNON: A resolution (H. Res. 559) providing for the payment of assistant foreman in the House folding room—to the Committee on Accounts.

By Mr. CUSHMAN: A resolution (H. Res. 560) providing for the consideration of the bill H. R. 18891—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 19921) granting a pension to Robert M. Jones—to the Committee on Pensions.

Also, a bill (H. R. 19922) granting an increase of pension to Mary A. Sutherland—to the Committee on Pensions.

By Mr. BEALL of Texas: A bill (H. R. 19923) granting an increase of pension to Bettie Ferguson—to the Committee on Pensions.

By Mr. BONYNGE: A bill (H. R. 19924) granting an increase of pension to Joseph L. Wright—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 19925) granting an increase of pension to Samuel Arterburn—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 19926) granting an increase of pension to Andrew Leupold—to the Committee on Invalid Pensions.

By Mr. CROMER: A bill (H. R. 19927) granting an increase of pension to Samuel W. Stigleman—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 19928) granting an increase of pension to Elisha G. Baldwin—to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 19929) granting an increase of pension to S. A. Bradley—to the Committee on Pensions.

By Mr. FLOYD: A bill (H. R. 19930) referring the claim of S. W. Peel for legal services rendered the Choctaw Nation of Indians to the Court of Claims for adjudication—to the Committee on Indian Affairs.

By Mr. FOSS: A bill (H. R. 19931) to authorize the granting of American registry to the Culgoa, a vessel of the third class, and to the Zafiro, a vessel of the fourth class, in the United States Navy—to the Committee on the Merchant Marine and Fisheries.

By Mr. FOSTER of Vermont: A bill (H. R. 19932) for the relief of John Lavine—to the Committee on Military Affairs.

Also, a bill (H. R. 19933) granting an increase of pension to Samuel A. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19934) for the relief of Alexander Hutchinson—to the Committee on Military Affairs.

By Mr. GARDNER of Massachusetts: A bill (H. R. 19935) granting an increase of pension to Clara E. Daniels—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 19936) to correct the military record of Charles Coburn—to the Committee on Military Affairs.

By Mr. KENNEDY of Nebraska: A bill (H. R. 19937) granting an increase of pension to Mildred L. Allee—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 19938) granting an increase of pension to Josiah Jordan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19939) granting an increase of pension to William S. Strain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19940) granting an increase of pension to Joseph D. Williams—to the Committee on Invalid Pensions.

By Mr. LE FEVRE: A bill (H. R. 19941) to remove the charge of desertion against John Roper, as of Battery L, First United States Artillery—to the Committee on Military Affairs.

By Mr. McCARTHY: A bill (H. R. 19942) granting an increase of pension to Joseph Westbrook—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 19943) granting an increase of pension to E. La Coste—to the Committee on Pensions.

By Mr. PATTERSON of South Carolina: A bill (H. R. 19944) granting an increase of pension to Elizabeth Presnell—to the Committee on Pensions.

Also, a bill (H. R. 19945) granting an increase of pension to Lucretia Grice—to the Committee on Pensions.

Also, a bill (H. R. 19946) granting an increase of pension to Satirhe Feagle—to the Committee on Pensions.

Also, a bill (H. R. 19947) for the relief of Thomas B. Ellis—to the Committee on War Claims.

Also, a bill (H. R. 19948) granting an increase of pension to Sarah D. Jones—to the Committee on Pensions.

By Mr. PAYNE: A bill (H. R. 19949) granting an increase of pension to Charles Van Ostrand—to the Committee on Invalid Pensions.

By Mr. REYNOLDS: A bill (H. R. 19950) granting an increase of pension to Daniel A. Lamberson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19951) granting a pension to Emma Bussard—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 19952) granting an increase of pension to James R. Dale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19953) granting an increase of pension to James W. Hunsaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19954) granting an increase of pension to John W. Clem—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19955) granting an increase of pension to John J. Kem—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 19956) granting an increase of pension to Felix D. Allbright—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 19957) granting a pension to Rebecca Daniels—to the Committee on Invalid Pensions.

By Mr. THOMAS of Ohio: A bill (H. R. 19958) granting an increase of pension to John Bergin—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 19959) for the relief of the heirs of Charles Ruffner, deceased—to the Committee on War Claims.

By Mr. WALLACE: A bill (H. R. 19960) for the relief of William C. Barnes—to the Committee on Claims.

By Mr. WATSON: A bill (H. R. 19961) granting an increase of pension to William Worden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19962) granting an increase of pension to David D. Rains—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 19963) granting an increase of pension to Charles Alford Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19964) granting an increase of pension to John Kinney—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the Chicago Federation of Labor, for anti-injunction law (the Pearre bill—H. R. 18752)—to the Committee on the Judiciary.

By Mr. AIKEN: Petition of citizens of South Carolina, against interference with navigation on Savannah River—to the Committee on Rivers and Harbors.

Also, paper to accompany bill for relief of Mary A. Sutherland—to the Committee on Pensions.

By Mr. BARTLETT: Paper to accompany bill for relief of Orrin J. Lucas—to the Committee on Military Affairs.

By Mr. BATES: Petition of Rev. R. N. Stubbs, Cambridge Springs, Pa., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of Municipal Art Society of Baltimore, for a national board of art experts—to the Committee on the Library.

Also, petition of E. T. Fleming, Philadelphia, Pa., against passage of bill H. R. 18895, relative to tax on distilled spirits—to the Committee on Ways and Means.

By Mr. BEALL of Texas: Paper to accompany bill for relief of Bertie Ferguson—to the Committee on Pensions.

By Mr. BOWERSOCK: Petition of 300 citizens of Ottawa, Kans., for Government mediation in affairs of Kongo Free State—to the Committee on Foreign Affairs.

By Mr. BURLEIGH: Petition of citizens of Maine, for retention of present law relative to imitation butter—to the Committee on Agriculture.

By Mr. CHAPMAN: Petition of Journal-Republican, Metropolis, Ill., for amendment to post-office laws to make legitimate all paid newspaper subscriptions—to the Committee on the Post-Office and Post-Roads.

By Mr. COLE: Petition of Don C. Bailey and E. M. Day, for amendment to post-office laws making legal all paid paper subscriptions—to the Committee on the Post-Office and Post-Roads.

By Mr. DICKSON of Illinois: Petition of W. A. Hunt, Bridgeport; James M. Donahue, Dieterich; E. G. Mendenhall, Kinmundy; C. S. Courtney, Ramsey, and Homer Clark, Effingham, for amendment to post-office laws making all newspaper subscriptions legal—to the Committee on the Post-Office and Post-Roads.

By Mr ESCH: Petition of Municipal Art Society of Baltimore, for Government board of art advisory experts—to the Committee on the Library;

Also, petition of Chicago Federation of Labor, for anti-injunction laws (H. R. 18752)—to the Committee on the Judiciary.

Also, petition of executive directors of the Chicago Commercial Association, for the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. FINLEY: Paper to accompany bill for relief of S. A. Bradley—to the Committee on Claims.

By Mr. FITZGERALD: Petition of the New York Retail Grocers' Union, favoring duty of 10 per cent on teas imported from Canada—to the Committee on Ways and Means.

Also, petition of New York Retail Grocers' Union, for increase of salary for tea inspectors—to the Committee on Ways and Means.

Also, petition of Chicago Federation of Labor, for bill H. R. 18752, relative to anti-injunction laws—to the Committee on the Judiciary.

Also, petition of Municipal Art Society of Baltimore, for a Government board of art experts—to the Committee on the Library.

By Mr. FLOYD: Paper to accompany bill for relief of S. H. Britts (previously referred to Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. FORDNEY: Paper to accompany bill for relief of Josephine Honor (previously referred to Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. FULKERSON: Petition of C. S. Dragoo, J. W. Morris, and J. S. Wood, for amendment of post-office laws to make legal all paid newspaper subscriptions—to the Committee on the Post-Office and Post-Roads.

By Mr. FULLER: Petition of Chicago Federation of Labor, for anti-injunction law—to the Committee on the Judiciary.

By Mr. GRANGER: Petition of Newport Association for Relief and Prevention of Tuberculosis, for the more stringent inspection of meat-packing establishments engaged in interstate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Connecticut: Petition of Columbia University, New York; Pope Motor Company et al., Toledo, Ohio; granges of New Jersey; Thomas Taggart et al., Indianapolis, Ind.; ex-Postmaster-General John Wanamaker, Charles Emery Smith, James A. Gary, Thomas L. James, and the officers of the Philadelphia Trades League; Baltimore Board of Trade, and Baltimore Chamber of Commerce et al.; Women's Department of Columbia University, and citizens of Denver, Colo., for consolidation of third and fourth class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. HINSHAW: Petition of George A. Byrne, publisher of the Advocate, for amendment to post-office laws and regulations making legal all paid newspaper subscriptions—to the Committee on the Post-Office and Post-Roads.

Also, petition of Meeting of Friends, at Lincoln, Nebr., for mediation of the Government in affairs of the Kongo Free State—to the Committee on Foreign Affairs.

By Mr. HITT: Petition of Charles O. Piper, for amendment to postal laws to make legal all paid newspaper subscriptions—to the Committee on the Post-Office and Post-Roads.

By Mr. LEVER: Paper to accompany bill for relief of Adolphus Leininger—to the Committee on War Claims.

By Mr. LINDSAY: Petition of Chicago Commercial Association and Merchant Marine League of the United States, for the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. MAHON: Petition of Kenny W. Robinson, master of Grange No. 781, Pennsylvania, and H. C. Crownover, master of Grange No. 1211, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. NEEDHAM: Petition of San Francisco Labor Council, for the anti-injunction bill (H. R. 18752)—to the Committee on the Judiciary.

By Mr. NORRIS: Petition of A. L. Taylor, Republican Leader, Trenton, Nebr., for amendment to post-office laws making legal all newspaper subscriptions—to the Committee on the Post-Office and Post-Roads.

By Mr. PATTERSON of South Carolina: Paper to accompany bill for relief of Sarah D. Jones—to the Committee on Pensions.

Also, petition of wage-workers of Chicago, as represented by Chicago Federation of Labor, for anti-injunction legislation (H. R. 18752)—to the Committee on the Judiciary.

Also, paper to accompany bill for relief of Thomas B. Ellis—to the Committee on War Claims.

Also, paper to accompany bill for relief of Elizabeth Presnell, Lucretia Grice, and Satirha Feagle—to the Committee on Pensions.

By Mr. SHEPPARD: Petition for favorable action on bills relating to interstate shipment of intoxicating liquors, by Representatives Sheppard, Stephens of Texas, Wallace, Finley, William W. Kitchin, Richardson of Alabama, Lloyd, Beall of Texas, Smith of Texas, Webb, Adamson, Hardwick, McLain, Claude Kitchin, Broocks of Texas, Candler, Sims, Patterson of South Carolina, Macon, Heflin, Floyd, Bowers, Johnson, Gillespie, Page, Russell, Humphreys of Mississippi, Flood, Houston, Hopkins, Robinson of Arkansas, Bell of Georgia, Small, Watkins, Ransdell of Louisiana, Byrd, Smith of Maryland, Brundidge, Lamar, Bowie, Lee, Clark of Florida, Sparkman, Butler of Tennessee, Spight, Clayton, Pujo, Pou, and Broussard—to the Committee on the Judiciary.

By Mr. STERLING: Paper to accompany bill for relief of Julius C. Witherspoon—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Petition of Retail Grocers and General Merchants' Association, against a parcels-post law or consolidation of third and fourth class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of Portland Produce Association, for bill by Hon. J. ADAM BEDE, relative to private car lines—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of the Wholesale Liquor Dealers' League, relative to tax on distilled spirits (H. R. 18895)—to the Committee on Ways and Means.

By Mr. THOMAS of Ohio: Petition of H. C. Parsons, Grange Republican, Chardon, Ohio, and the Tribune, Warren, Ohio, for amendment to post-office laws to make legal all paid newspaper subscriptions—to the Committee on the Post-Office and Post-Roads.

By Mr. WHARTON: Petition of Chicago Commercial Association, for the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

SENATE.

MONDAY, *June 4, 1906.*

Rev. ULYSSES G. B. PIERCE, of the city of Washington, offered the following prayer:

We come into Thy presence, our Father, with hearts veiled with sorrow. But it is not as if Thy love were taken from us or Thy power had failed, for we are still Thy children, Thou still our Father.

Renew our days as of old. Cause the light of Thy countenance to shine upon us. Let Thy grace strengthen us, and through the cloud lead us into the light that never was on land or sea. So, our Father, wilt Thou turn our mourning into joy and our tears into thanksgiving. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

DEATH OF SENATOR GORMAN.

Mr. BAILEY. Mr. President, in the absence of the surviving Senator from Maryland, it becomes my painful duty to announce the death of Senator GORMAN. The end which awaits us all found him this morning. At his residence in this city, surrounded by his stricken family, he passed from the strife and bitterness of this world to the peace and rest of a better one.

I would ask the Senate to honor his long and faithful service as a member of this body by holding a public funeral in the Senate Chamber except for the fact that he has left instruction that his burial shall be a simple one. In obedience to his wishes, I forbear to make any request further than to ask the adoption of the resolutions which I send to the desk.

At some later time Senator RAYNER, who learned of Senator GORMAN'S death when it was too late for him to reach the Chamber for this morning's session, will ask us to set apart a day upon which the Senate will pay a fitting tribute to the memory and services of our deceased associate.

The VICE-PRESIDENT. The Secretary will read the resolutions submitted by the Senator from Texas.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. ARTHUR PUE GORMAN, late a Senator from the State of Maryland.

Resolved, That a committee of seventeen Senators be appointed by the Vice-President to take order for superintending the funeral of Mr. GORMAN, which will take place at his late residence Thursday, June 7, at 11 o'clock, and that the Senate will attend the same.

Resolved, That as a further mark of respect that his remains be removed from his late home to the place of interment in Oak Hill Cemetery for burial, in charge of the Sergeant-at-Arms, attended by the committee, who shall have full power to carry these resolutions into effect; and that the necessary expenses in connection therewith be paid out of the contingent fund of the Senate.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE-PRESIDENT. The question is on agreeing to the resolutions read by the Secretary.

The resolutions were unanimously agreed to.

The VICE-PRESIDENT appointed as the committee, under